

HARRISON'S REPORTS

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1270 SIXTH AVENUE**Room 1812****New York, N. Y.****A Motion Picture Reviewing Service****Devoted Chiefly to the Interests of the Exhibitors**

Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.

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No. 1

The Television Problem in Motion Picture Theatres—No. 5

Q. 10: How near is television reception in the home?

A. Television reception in the home is practically here. In England, a television broadcasting service has been offered for almost two years, and is beginning to receive serious public notice. In the United States, such a service is scheduled to start in New York either in April or May, 1939, when two, (and possibly three), stations will have been completed in the New York City area and will be ready to begin sending out programs, although on a limited scale for the time being. Each of the two larger stations will have a sending apparatus of about 7,500 watts. A similar station is planned for a point between Albany and Schenectady.

The pictures in the home are fairly bright and clear, even though they possess some of the limitations mentioned elsewhere in this series of articles. At present the size of the picture is between three by four inches, and seven and one-half by ten inches. For general home use, the larger sizes of the commercially acceptable receivers are desirable.

The cost of the sets range anywhere between \$150 and \$400, or more, the price depending on how large is the picture and what extra features are included in the receiver.

Up to the present the programs have been largely experimental, the purpose being to determine the reaction in the home. It is certain that, if the present broadcasting setup in this country continues, the programs will have, in the main, advertising sponsors. Such programs will, therefore, contain advertisements, both in the sound and in the picture. But these programs will in no way be competitive to the theatre film entertainments, by reason of the fact that only short subjects will, as said, be broadcast, of a duration probably anywhere from fifteen to twenty minutes, and of inferior quality as compared with good picture entertainment in the theatres.

Television is a challenge to the motion picture industry; but whether it will injure it or benefit it lies entirely in the hands of exhibitors as well as of the producers. Wise story selection, improved production methods, honest distribution systems, perfect projection, efficiency as well as economy—these are a definite and satisfying answer to the television threat. But if the industry neglects to keep up with the times, it may be injured by this new art. Let it learn a lesson from the experience the railroads have had: if the railroads, instead of disregarding, and even insulting, the public, had made the improvements that they are now making, they would not be exerting frantic efforts now to lure the public back to railroad travel. They disregarded the automobile, minimized the competition from the bus, and laughed at the passenger plane;

but when they woke up, they found themselves on the verge of bankruptcy. The motion picture industry may, despite its advantages, suffer the same fate, unless new blood with new ideas are poured into, not only exhibition, but also distribution, as well as production.

Let the motion picture industry beware!

THE PRODUCER MEMORANDUM —LAST ARTICLE

"2. Trade Announcement."

This is, of course, nothing but blind-selling in disguise. "Each distributor," the memorandum says, "will make general announcement at or prior to the beginning of each of its seasons, containing such information as it may be practicable to give of all pictures completed or actually in production then intended for release during such season, and of any other pictures then intended for release during such season, it being understood that the completion of such pictures actually in production and the making of such other pictures which it is intended to produce are subject to the hazards and uncertainties of the business and they may not be completed or produced, as planned."

The proposal offers nothing. It is a reiteration of what the producers are doing now and have been doing for several years. It is no cure for the obnoxious blind-selling system. Allied asked that the number of pictures to be cancelled by small exhibitors be raised to thirty per cent when such pictures are not identified in the contract, but the producers have not granted it.

"3. Exhibitor's Limited Playing Time: When a number of pictures is offered for license to an exhibitor by a distributor and the exhibitor refuses to license such number on the sole ground that by reason of the minimum number of pictures agreed to be exhibited under the license agreements theretofore entered into by such exhibitor it is impossible under such exhibitor's operating policy to play the entire number offered, then such distributor will offer to such exhibitor such lesser number of pictures as may be agreed upon or determined by arbitration as the maximum number of pictures that could be played by such exhibitor, provided that distributor shall always have the right at any time before or after making such offer to such exhibitor to solicit or license all or any of its pictures to any other exhibitor."

Whoever framed this clause had better go back to school for additional lessons in composition. The provisions in the contracts and in any other documents that the producers' legal talents composed when it concerned exhibitors have always been either ambiguous, or obscure, or both, but this proposal transcends anything that I have ever read.

The best meaning that I can extract out of it is this: when an exhibitor cannot buy a producer's entire product because he has no room for it, then the distributor will offer to the exhibitor as fewer pictures from his entire group as the exhibitor and he may agree upon. It is understood, however, that the distributor retains the right at all times to license his entire group, if he can, to some other exhibitor.

The exhibitor demand for the right to buy some pictures from a distributor's entire group has arisen from the fact that, under the system whereby an exhibitor has to buy a producer's entire group or be without them, that is, under the block-booking system, the exhibitor often found himself in an embarrassing position, because the public could not understand why he could not show certain meritorious pictures. But this proposal does not help him at all. Suppose he

(Continued on last page)

"Topper Takes a Trip" with Constance Bennett and Roland Young

(United Artists, January 12; time, 80 min.)

This fantastic comedy, which is a sequel to the first "Topper" picture, is only mildly entertaining. Those who saw the other one will find little in this to entertain them, for the comedy is caused in the same way—that is, by the materialization and dematerialization of one of the characters and of her dog; what was novel then is just slightly boring now. In the very beginning, parts of the old picture are used in order to explain to those who did not see it what the whole thing is about—during those scenes Cary Grant appears. The fact that he does not appear later is to the picture's detriment, for he is missed. Moreover, none of the other players are strong box-office attractions.

In the development of the plot, Miss Bennett comes back to earth because she felt her work had not been completed. Reading that Roland Young's wife (Billie Burke) was divorcing him because of his escapades with her on her former visit to earth, Miss Bennett decides to help him. Young, remembering the trouble Miss Bennett had caused him, begs her to go away, but she refuses. They follow Miss Burke to Paris where, in company with a friend (Veree Teasdale), she had gone for her divorce. Naturally Miss Bennett embarrasses Young when in public places, but invisible to the public, she pushes him around causing him to stumble. Finding out that an impoverished Baron was trying to marry Miss Burke for her money, she suddenly appears in his room, making it look as if she were on intimate terms with him. Miss Burke is shocked. Finally, through Miss Bennett's efforts, Young and Miss Burke are reconciled. Feeling that her work was completed, Miss Bennett prepares to leave the earth to join her husband.

Thorne Smith wrote the story, and Eddie Moran, Jack Jevne, and Corey Ford, the screen play; Norman Z. McLeod directed it, and Milton H. Bren produced it. In the cast are Alan Mowbray, Franklin Pangborn, Alexander D'Arcy, and others.

Not particularly suitable for children. Suitability, Class B.

"Trade Winds" with Fredric March and Joan Bennett

(United Artists, December 22; time, 93½ min.)

Just a fair comedy-melodrama. The story is extremely thin and unbelievable; one of its weakest points is the fact that, for the sake of comedy, the detective is made dumb. His actions lack comedy; as a matter of fact they are so silly that they tend to weaken the story dramatically. The background, with the exception of just a few interior sets, is made up of processed shots of different foreign ports; this might be acceptable to patrons who enjoy travelogues, but the average audience may resent it. At times the action lags, particularly in the romantic scenes; the most exciting part of the picture is the end, where the hero traps the murderer. The romance is developed in the routine way:—

Overcome with grief at the suicide of her sister, Joan Bennett goes to see the man (Sidney Blackmer) responsible for it. In a jesting mood, he hands her a gun asking her to shoot him, and that is just what she does. Thinking that she had killed him, she runs away. Blackmer's body is found by the police, with Miss Bennett's purse near it. The police inspector decides to send Fredric March, a private detective, in search of Miss Bennett; knowing March's weakness for pretty girls, he sends Ralph Bellamy, a sober, serious but rather silly detective, along with March. Their search takes them to many foreign ports; March finally catches up with Miss Bennett. They fall deeply in love with each other, and everything is serene until Miss Bennett finds out who March is. March pleads with her to have faith in him; he even shows willingness to give up his career just to protect her. But, since the police knew where March was, and had ordered Miss Bennett's arrest, March insists on taking her back himself, pretending that he was doing so just for the \$100,000 reward offered by Blackmer's father. Miss Bennett is disgusted, not knowing that March wanted to use the money to obtain proof of her innocence. Through a ruse, he finally accomplishes this, proving that Miss Bennett had used a gun with blanks, and that the jealous husband of one of Blackmer's women friends, who had witnessed the scene, had entered and actually killed Blackmer. Miss Bennett and March are joyfully reunited.

Tay Garnett wrote the story and directed the picture; Dorothy Parker, Alan Campbell, and Frank R. Adams wrote the screen play, and Walter Wanger produced it. In the cast are Ann Sothorn, Thomas Mitchell, Robert Elliott, and others.

Suitability, Class B.

"Pacific Liner" with Victor McLaglen, Chester Morris and Wendy Barrie

(RKO, January 6; time, 75 min.)

A pretty depressing program melodrama. Most of the action takes place in the boiler and engine rooms of a large ocean-going liner, where the crew, some of whom were suffering from cholera contracted from a Chinese stowaway, are kept virtual prisoners so as to prevent the disease from spreading. There is not much movement, and just slight comic relief; everything centers around the trapped men and their reactions to their misfortune. Spectators with delicate stomachs may shudder at the sight of the men putting dead bodies into the furnaces to be burned, this being done as a means of precaution; also at the unpleasantness of watching men collapse one by one, having contracted the disease. A romance has been worked into the plot, but it does not help matters much. No fault can be found with the individual performances; it is just that the material lacks dramatic power. The character that is impersonated by McLaglen is egotistical:—

A Chinese stowaway is discovered by Victor McLaglen, chief engineer of a large passenger liner bound for San Francisco, who insists on putting him to work. But the man collapses; upon examining him, Chester Morris, the ship's doctor, discovers that the man was suffering from cholera. He dies; his body is burned in the furnace. Morris issues orders that no man was to leave his post, so that the disease would not spread to the passengers. He sets to work trying to prevent the men from contracting the disease, but he has a difficult time. McLaglen, who was infatuated with Wendy Barrie, the ship's nurse, suggests that she visit Morris, knowing that once she was down below she would not be permitted to return to her own quarters, and he would thus have a chance to make love to her. She helps Morris, with whom she was in love, but from whom she had parted because of his incurable desire to wander all over the world. When McLaglen is stricken, the remaining members of the crew try to revolt and leave the boiler room, but McLaglen gets out of his sick bed in time to prevent them. Finally the ship gets to port, without any of the passengers realizing what had happened; McLaglen recovers. Miss Barrie finally agrees to marry Morris.

Anthony Coldeway and Henry R. Symonds wrote the story, and John Twist, the screen play; Lew Landers directed it, and Robert Sisk produced it. In the cast are Alan Hale, Barry Fitzgerald, Allan Lane, Halliwell Hobbes, and others.

Too depressing for children. Adult fare. Class B.

"The Girl Downstairs" with Franchot Tone, Franciska Gaal and Walter Connolly

(MGM, December 23; time, 76 min.)

Just a mildly entertaining comedy. The production is extremely lavish, but the story is artificial, tiring one. It seems a pity to waste the talents of good actors like Franchot Tone and Walter Connolly in anything so silly as this, for, in spite of their efforts, they are so handicapped by the material that they fail to make an impression. One or two spots provoke laughter; but for the most part the antics of the characters are far from amusing:—

Franchot Tone, a wealthy playboy, is in love with Rita Johnson, daughter of millionaire Connolly, who opposes the match. Connolly orders his servants not to allow Tone to enter the house. But Tone, determined to outwit Connolly, makes friends with the scullery maid (Franciska Gaal), the one servant who did not know who he was. He pretends to be his own chauffeur; Miss Gaal, an unsophisticated country girl, falls madly in love with him. When she arrives at his apartment with a note from Miss Johnson, Tone carries on the deception; a friend visiting him pretends to be the master and "discharges" Tone. Thinking she had been the cause of it all, Miss Gaal invests her savings to buy a dilapidated taxicab so that Tone might earn a living. Touched by her kindness, he takes her out again; he then realizes that he loved her. She learns of the deception when Tone arrives at a party given to celebrate his engagement to Miss Johnson; she did not know that he planned to break the engagement. She leaves the house so as to go back to her farm home; Tone, in order to prevent her from leaving, enters a charge against her with the police. They find her at the station and arrest her; Tone obtains her release. They are reconciled.

Sandor Hunyady wrote the story, and Harold Goldman, Felix Jackson and Karl Noti, the screen play; Norman Taurag directed it, and Harry Rapf produced it. In the cast are Reginald Gardner, Reginald Owen, Franklin Pangborn, and others.

Suitability, Class A.

"Gambling Ship" with Robert Wilcox and Helen Mack

(Universal, January 20; time, 61 min.)

A good program melodrama. Although the story is not novel, it holds one's attention well for the action is fast and, for the most part, exciting. It has some comedy, too, caused by wiseacreling. Both hero and heroine win the spectator's sympathy, for they show courage in the face of danger. The closing scenes are thrilling. The romance is pleasant:—

Heartbroken at her father's death, Helen Mack decides to continue in his business, that of operating an honest gambling ship, in order to keep an orphan's home supplied with money in accordance with her father's wishes. Furthermore, from what she could learn from her father's assistant (Joseph Sawyer), Miss Mack feels certain that her father had been killed by Irving Pichel, a racketeer, who had tried unsuccessfully to buy the ship. Pichel engages Robert Wilcox, who had come to him highly recommended, as one of his henchmen. He assigns Wilcox to Miss Mack's ship. Wilcox, acting in accordance with instructions, assists Pichel's men in fixing the gambling tables so that they would win and thus break Miss Mack. When Sawyer and Miss Mack find out what he had done, they order him off the ship. Wilcox, on the pretense of attempting to blackmail Pichel, gets him to call at his hotel room. Wilcox had planted a motion picture camera in the radio so as to make a record of everything that Pichel would do and say. Pichel finds out that Wilcox was a federal investigator; assisted by his henchmen, he takes Wilcox to his quarters, where he keeps him a prisoner. But Wilcox, knowing that Pichel's men had placed a bomb on Miss Mack's ship, where that very day she was entertaining the children from the orphanage, manages to escape and get to the ship just in time to prevent the explosion. Miss Mack and Sawyer apologize for having mistrusted him. Miss Mack confesses her love for him.

G. Carleton Brown and Emanuel Manheim wrote the story, and Alex Gottlieb, the screen play; Aubrey Scotto directed it, and Irving Starr produced it. In the cast are Ed Brophy, Selmer Jackson, Sam McDaniel, and others. Not for children. Class B.

"Paris Honeymoon" with Bing Crosby, Akim Tamiroff, Franciska Gaal, Shirley Ross and Edward Everett Horton

(Paramount, January 27; time, 85 min.)

Just fair. It has been given a lavish production; and the individual performances are good. But not much can be said for the story, which is extremely silly and at times tiresome. Supposedly a comedy, the gags fall flat, that is with the exception of one comical idea—this has to do with a certain liquor that makes those who drink it act in a peculiar way. Bing Crosby puts over the musical numbers in his customary competent style; but the songs are not outstanding. The romantic mixups are developed according to formula, and fail to hold one's interest:—

Crosby, a millionaire cowboy, learns, on the day of his intended marriage to Shirley Ross, that her divorce from a French Count to whom she had been married, had never gone through. Both he and Miss Ross go to Paris, there to complete the divorce proceedings. Crosby leaves Miss Ross in Paris in order to look over a castle in the mountains that he wanted to buy. Franciska Gaal, who worked as a drudge in Akim Tamiroff's tavern, spies Crosby and falls in love with him. She is overjoyed when she is chosen as the Rose Queen for the annual festival. One of the customs required her to live, for one week, in the castle occupied by Crosby. She tries in many ways to win his affections but he considers her a nuisance. Crosby drives to the station to meet Miss Ross; he is annoyed to find Miss Gaal hidden in his car. She interferes with his driving, causing the car to be wrecked. Since it was raining, they are forced to take shelter in an unoccupied cabin. In the meantime, Miss Ross is enraged when Crosby does not show up. The only available vehicle is an open cab; she is drenched when she arrives at the castle. Being alone with Miss Gaal makes Crosby notice her charms; he falls in love with her. Nevertheless he decides to go through with his marriage to Miss Ross. They go back to Paris. But he cannot go through with it; he returns to the small village in time to stop Miss Gaal's marriage to Tamiroff, who wanted to marry her only to get the expensive ring Crosby had given her. She is overjoyed at his arrival.

Angela Sherwood wrote the story, and Frank Butler and Don Hartman, the screen play; Frank Tuttle directed it, and Harlan Thompson produced it. In the cast are Ben Blue, Rafaela Ottiano, Gregory Gaye, Victor Kilian, and others. Suitability, Class A.

"Tom Sawyer, Detective" with Billy Cook and Donald O'Connor

(Paramount, December 23; time, 67 min.)

A fair program picture, suitable mostly for young folk. Billy Cook, as Tom Sawyer, and Donald O'Connor, as Huckleberry Finn, give good performances; their actions at times provoke laughter. One is held in suspense in the second half, when an innocent man is held for a murder he did not commit. A mildly pleasant romance is worked into the plot.

Because of the fact that the United Artists picture recently released was called "Adventures of Tom Sawyer," exhibitors will have to impress upon their patrons the fact that this is not a remake but an entirely new story; otherwise, they may not want to see it.

While on the steamboat bound for Arkansas, where they were to spend the summer with an aunt (Elisabeth Risdon) and uncle (Porter Hall), Tom and Huckleberry meet Jake Dunlap (William Haade) who, they believed, was a jewel thief. They discover that Jake was the long-missing twin brother of Jupiter Dunlap (also played by Haade), who worked as a hired man on their uncle's farm. Jake convinces them that he was not a crook but that the two men following him were crooks; the boys help him escape. During an argument with Jupiter, Uncle Silas (Hall) strikes him; thinking that he had killed him, he runs away. While walking in the woods, Tom and Huckleberry see Jake attacked and murdered by the two men from the boat; they run away. Jupiter and his brother Brace find their murdered brother; noticing that he wore whiskers as a disguise, Brace removes them and tells Jupiter to wear them and pose as Jake. They take the diamonds. When Jake's body is found and identified as Jupiter's, Uncle Silas gives himself up. Tom and Huckleberry decide to investigate for themselves; they examine the body and discover it was really Jake's. On the day of the trial, they rush to court and divulge their findings. Jupiter admits his identity and tells the court that Brace forced him into the mess. Brace had been angry at Uncle Silas because he would not permit his daughter, who was engaged to a young lawyer, to marry Brace. Uncle Silas is freed, and the boys are congratulated for their good work.

The plot was adapted from the novel by Mark Twain; Lewis Foster, Robert Yost, and Stuart Anthony wrote the screen play; Louis King directed it. In the cast are Philip Warren, Janet Waldo, Raymond Hatton, and others. Suitability, Class A.

"Kentucky" with Loretta Young, Richard Greene and Walter Brennan

(20th Century-Fox, December 30; time, 95 min.)

Very good mass entertainment. It is not just an ordinary horse-racing picture; rather, it shows, in a human way, what the breeding and racing of thoroughbreds means to those who carry on the family tradition of racing and who have a natural love for the animal. In addition, the production is lavish and is enhanced by the technicolor photography, particularly in the outdoor scenes during the races. There is delightful comedy contributed mostly by Walter Brennan, a charming romance, and plentiful thrills to hold the spectator in suspense. The race in the closing scenes is so exciting that it leaves one limp.

In the development of the plot, Richard Greene, whose family had been feuding with Loretta Young's family since Civil War days, assumes another name and applies at Miss Young's farm for a job as horse trainer. The only one who knows him is an old negro man who had formerly worked for his family, but Greene silences him with gifts. Miss Young, who had found a note in her father's belongings after his death, signed by Greene's father (Moroni Olsen), wealthy banker and owner of thoroughbreds, which entitled him to one of Olsen's two-year old horses, goes with her uncle (Brennan) to get the horse. To her disappointment he picks one that does not look like a winner to her. But after careful training by Greene, the horse begins to show possibilities. On the day of the important Kentucky Derby race, Miss Young discovers Greene's identity and is beset by doubts as to his honesty in training the horse; she thinks that he might have had some trick up his sleeve so that his father's horse would win. But she decides to follow his advice anyway. And her horse wins. Her delight is marred by the death of Brennan, whose heart could not stand the excitement. The feud is finally declared over when Greene and Miss Young plan to marry.

John T. Foote wrote the story, and he and Lamar Trotti, the screen play; David Butler directed it, and Gene Markey produced it. In the cast are Douglas Dumbrille, Karen Morley, Willard Robertson, and others.

Suitability, Class A.

buys enough pictures from three distributors to take care of his needs with the exception of a few play-dates: when he goes to a fourth distributor to book an outstanding picture of his, that distributor will require the exhibitor to fill all his remaining play-dates before he will let the exhibitor have the picture he wants. But what will he tell his public when a fifth, a sixth and even a seventh distributor will have produced a meritorious picture and he cannot show it?

This discussion refers to cases, not where the fourth distributor has an opportunity to lease his entire product to a second exhibitor, but where there is no second exhibitor to lease his pictures to.

The exhibitor representatives should demand that, where there is no competitive theatre, the exhibitor be allowed to lease any number of a distributor's pictures. There have been cases when an exhibitor had filled all his play-dates from the programs of a few distributors and a left-out distributor retaliated either by sending to the people of the exhibitor's town circulars designed to cause the public to bring pressure on such exhibitor, or by renting his pictures to either a school or a church. The exhibitor could not persuade such distributor to desist by telling him that he had no room for his pictures; the distributor remained adamant. By allowing such exhibitor to book as many pictures from a distributor as he wants, he can satisfy all distributors.

Abuses arising out of this proposal will, of course, be arbitrable; but it will be well for the exhibitor representatives to gain such a concession at least for theatres that have no competition within a reasonable distance. And "reasonable distance" should not mean forty-five miles or thereabout.

Incidentally, some trade papers, in reproducing this proposal, omitted the phrase, "to license such number on the sole ground that by reason," immediately after the word "refuses," in the third line. *Film Daily* reproduced it first, in its December 5 issue, and since those trade papers omitted the same number of words it is manifest that they copied it from that *Film Daily*, (not *Boxoffice*).

"5. Runs and Existing Customers: (A) Provided an exhibitor and a distributor can mutually agree upon terms, an exhibitor shall be able to obtain some run of a distributor's pictures provided that each exhibitor's theatre is not of obsolete character, is in good condition and operates under a policy which is not destructive or which would not substantially affect the business of any other run of distributor's pictures and further provided that such exhibitor is of good reputation as a theatre operator and financially responsible. Any dispute as to whether or not the exhibitor's theatre is of obsolete character, is in good condition, is operated under a policy which is destructive or which would substantially affect the business of any other run of distributor's pictures or whether or not the exhibitor is of good reputation as a theatre operator and is financially responsible, shall be determined by arbitration.

"(B) Exhibitors have complained that distributors have licensed their product away from an existing customer to another exhibitor because such other exhibitor operates a circuit of theatres in the same or other situations and licenses the distributor's product for such circuit.

"It is recognized that a distributor has the right to select its own customers and it is also recognized that a change of customers is sometimes a hardship to an existing customer, but that in order to be entitled to continue to receive consideration as a customer, the exhibitor should have substantially performed his previous license agreements with distributor, maintain and operate his theatre in a modern and up-to-date manner and be financially responsible.

"Having regard for these principles, product will not be licensed away from an existing customer to a new or another exhibitor for the sole reason that the new or other exhibitor is a customer of the distributor in the same or other situations and any dispute as to whether or not a distributor has licensed its product away from an existing customer for the sole reason that such other exhibitor is a customer of the distributor in the same or other situations shall be determined by arbitration."

This provision, too, could stand considerable clarification by rewriting. For instance, it says that, provided the exhibitor is "financially responsible," he can get some kind of run for his theatre. Responsible financially to whom? Does it mean, "provided the exhibitor pays his bills"? If so, why doesn't the provision say so? If it should be left as it is, the exhibitor members of the negotiating committee would be lending themselves to the revival of the credit committees, which the courts have outlawed. Why should a group of

distributors be interested in the financial standing of the exhibitor in his community so long as he pays his bills to any distributor he does business with? And why should such phraseology be necessary when the distributors send to the exhibitor C.O.D. even posters?

Another of the clarifications that the exhibitors should ask of the distributors is the phraseology, "Provided an exhibitor and a distributor can mutually agree upon terms." Does this mean that, when the distributor places on his product a high price so as to make an agreement impossible, such distributor's purpose being to favor a competing affiliated theatre, the exhibitor will have no right to appeal to the arbitration board for relief? If such is the case, the matter should be so stated, to enable the exhibitor-negotiators to determine whether to accept or reject this provision.

"6. Short Subjects, Newsreels and Trailers: No exhibitor shall be required, as a condition of licensing feature motion pictures, to license short subjects, newsreels or trailers, but nothing herein shall be deemed to prohibit any effort by the distributor to license short subjects, newsreels and trailers."

In view of the fact that a seller has at all times the right to make an effort to sell his product to a buyer, a right that is recognized in all democratic nations as lawful, the stipulation "but nothing herein shall be deemed to prohibit any effort by the distributor to license short subjects, newsreels and trailers" is not necessary and should be eliminated. Retention of this stipulation may lead to more abuse. The salesmen, for instance, may misinterpret its intent, and may try to bring pressure upon the exhibitor to buy the shorts, newsreels and trailers, and the exhibitor may be compelled to contract for them to get the features. The exhibitor representatives should insist upon the elimination of this sentence, or else require that controversies arising out of it be arbitrated. Let arbitration determine whether the exhibitor had been coerced or not. After all, arbitration, if fair, should determine such controversies; otherwise there will be no peace between exhibitors and distributors.

"14. Box-Office Statements: The practice of rendering to a distributor false reports of the box-office receipts in respect of the exhibition of pictures the film rental of which is based in whole or in part upon a percentage of such receipts is condemned by exhibitors as well as by distributors as a practice which not only results in loss of earned revenue to the distributors, but is also unfair and detrimental to the business of honest exhibitors. Exhibitors will endeavor to discourage and eliminate such practice."

This provision, if agreed upon by the exhibitor representatives, will cast a reflection upon every exhibitor, for it implies that the exhibitors, as a rule, render false box-office statements. The exhibitor representatives should refuse even to discuss such a matter, let alone agree upon it. If there are some exhibitors who, when allowed to show a percentage picture without the presence of a distributor representative, render inaccurate statements of their receipts, it should be the good business judgment of the distributor not to allow again such exhibitors to show a picture of his under such conditions; the distributor should have a representative check these exhibitors. To demand that the exhibitors acknowledge the existence of such a practice as common is to insult every exhibitor who makes a true statement of box-office receipts, and otherwise conducts himself as an honorable business man.

The exhibitor representatives should refuse to deal with such a matter; it is not in their province even to discuss it.

The other proposals are not commented upon.

RAY LEWIS TO DO THINGS IN CANADA

Ray Lewis, editor and publisher of *The Canadian Moving Picture Digest*, was recently in New York, on a visit. She told the writer of the fight she has been having with Nathanson, the big theatre and distribution magnate.

Miss Lewis may appear as a "David" as compared with Nathanson, but she has a "sling" that may bring the Goliath down: she intends to lay her case directly before the public.

In view of the fact that Miss Lewis is fighting a battle, not for herself, but for a woman-exhibitor whom, Miss Lewis feels, Mr. Nathanson has taken unfair advantage of, there is no doubt as to what the outcome of the fight will be.

HARRISON'S REPORTS has often advocated that the exhibitors take their public into their confidence in any dispute arising between them and a theatre-owning producer. All the chances for a victory are in their favor.

HARRISON'S REPORTS

Vol. XXI

NEW YORK, N. Y., SATURDAY, JANUARY 7, 1939

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Blondie—Columbia (72 min.)	186	
Boo-oo—Paramount (60 min.)	122	
Boy From Barnardo's, The—MGM (See "Lord Jeff")	107	
Boy Meets Girl—Warner Bros. (86 min.)	135	
Boys Town—MGM (93 min.)	151	
Breaking the Ice—RKO (82 min.)	146	
Broadway Musketeers—First National (62½ min.)	162	
Brother Rat—First National (88 min.)	170	
Bulldog Drummond in Africa—Paramount (58 min.)	126	
Campus Confessions—Paramount (66 min.)	154	
Carefree—RKO (82 min.)	147	
Chaser, The—MGM (75 min.)	126	
Christmas Carol, A—MGM (69 min.)	206	
Cipher Bureau—Grand National (69½ min.)	207	
Citadel, The—MGM (112 min.)	178	
City Streets—Columbia (68 min.)	106	
Colorado Trail, The—Columbia (55 min.)	Not Reviewed	
Come on Leathernecks—Republic (65 min.)	143	
Comet over Broadway—First National (69 min.)	195	
Convicted—Columbia (54 min.)	142	
Cowboy and the Lady, The—United Artists (90 min.)	198	
Crime Over London—Gaumont-British (62 min.)	130	
Crime Ring—RKO (69 min.)	106	
Crime Takes a Holiday—Columbia (59 min.)	158	
Crowd Roars, The—MGM (89½ min.)	131	
Danger on the Air—Universal (66 min.)	107	
Dangerous Secret—Grand National (58½ min.)	178	
Dark Rapture—Universal (79½ min.)	163	
Dawn Patrol—Warner Bros. (101 min.)	211	
Desert Patrol—Republic (56 min.)	Not Reviewed	
Desperate Adventure, A—Republic (65 min.)	130	
Down in Arkansaw—Republic (65 min.)	171	
Down on the Farm—20th Century-Fox (61 min.)	174	
Dramatic School—MGM (80 min.)	202	
Drums—London Film-United Artists (96 min.)	127	
Duke of West Point—United Artists (109 min.)	211	
Exposed—Universal (63 min.)	187	
Fast Company—MGM (74 min.)	110	
Fast Play—Paramount (See "Campus Confessions")	154	
Five of a Kind—20th Century-Fox (85 min.)	170	
Flight to Fame—Columbia (57 min.)	186	
Flirting with Fate—MGM (68 min.)	210	
Four Daughters—First National (90 min.)	139	
Four's a Crowd—Warner Bros. (90 min.)	135	
Freshman Year—Universal (67 min.)	147	
Fugitives for a Night—RKO (62½ min.)	143	
If I Were King—Paramount (100 min.)	162	
Illegal Traffic—Paramount (67 min.)	182	
I'll Give a Million—20th Century-Fox (74 min.)	114	
I'm from the City—RKO (66 min.)	127	
I Stand Accused—Republic (63 min.)	179	
Gang Bullets—Monogram (61 min.)	202	
Gangster's Boy—Monogram (80 min.)	183	
Garden of the Moon—First National (92½ min.)	142	
Gateway—20th Century-Fox (73 min.)	134	
Gay Imposters, The—Warner Bros. (See "Gold Diggers in Paris")	90	
Girls on Probation—First National (63 min.)	170	
Girls' School—Columbia (72 min.)	163	
Give Me a Sailor—Paramount (76 min.)	134	
Gladiator, The—Columbia (72 min.)	138	
Going Places—First National (83 min.)	211	
Gold Mine in the Sky—Republic (60 min.)	Not Reviewed	
Great Waltz, The—MGM (103 min.)	186	
Gun Smoke Trail—Monogram (56 min.)	Not Reviewed	
Hard to Get—Warner Bros. (78 min.)	187	
Heart of the North—First National (82 min.)	206	
Held for Ransom—Grand Nat'l (59 min.)	Not Reviewed	
Heroes of the Hills—Republic (55 min.)	Not Reviewed	
Higgins Family, The—Republic (64½ min.)	151	
His Exciting Night—Universal (60 min.)	190	
Hold That Co-Ed—20th Century-Fox (80 min.)	155	
I Am a Criminal—Monogram (73 min.)	199	
I Am the Law—Columbia (83 min.)	143	
I Command—Grand Nat'l (59 min.)	Not Reviewed	
I Married a Spy—Grand Nat'l (59 min.)	Not Reviewed	
Just Around the Corner—20th Cent.-Fox (69½ min.)	183	
Juvenile Court—Columbia (58 min.)	154	
Keep Smiling—20th Century-Fox (77 min.)	123	
King of Alcatraz—Paramount (55½ min.)	166	
Lady Objects, The—Columbia (65 min.)	159	
Lady Vanishes, The—Gaumont-British (91 min.)	171	
Last Express, The—Universal (62½ min.)	171	
Last of the Cavalry, The—Republic (See "Army Girl")	119	
Last Warning, The—Universal (63 min.)	203	
Lawless Valley—RKO (58½ min.)	182	
Law of the Plains—Columbia (56 min.)	Not Reviewed	
Law West of Tombstone, The—RKO (73 min.)	191	
Letter of Introduction—Universal (102 min.)	127	
Listen Darling—MGM (74½ min.)	174	
Little Adventuress, The—Columbia (62 min.)	187	
Little Miss Broadway—20th Century-Fox (71 m.)	115	
Little Orphan Annie—Paramount (57 min.)	202	
Little Tough Guy—Universal (82½ min.)	114	
Little Tough Guys in Society—Universal (72 min.)	195	
Lord Jeff—MGM (84½ min.)	107	
Love Finds Andy Hardy—MGM (90 min.)	122	
Mad Miss Manton, The—RKO (79 min.)	166	
Man to Remember, A—RKO (78 min.)	166	
Man with 100 Faces—Gaumont-British (71 min.)	186	
Man's Country—Monogram (55 min.)	Not Reviewed	
Marie Antoinette—MGM (157 min.)	138	
Mars Attacks the World—Universal (67½ min.)	182	
Meet the Girls—20th Century-Fox (66 min.)	147	
Men with Wings—Paramount (105 min.)	178	
Missing Guest, The—Universal (67½ min.)	138	
Mother Carey's Chickens—RKO (81½ min.)	123	
Mr. Chump—Warner Bros. (60 min.)	123	
Mr. Doodle Kicks Off—RKO (77 min.)	155	
Mr. Wong, Detective—Monogram (68 min.)	175	
My Bill—First National (63½ min.)	110	
My Lucky Star—20th Century-Fox (84 min.)	147	
Mysterious Mr. Moto—20th Century-Fox (62½ min.)	151	
Nancy Drew, Detective—Warner Bros. (65 min.)	198	
Next Time I Marry, The—RKO (64 min.)	199	
Night Hawk, The—Republic (63 min.)	162	

One Woman's Answer—MGM (See "Woman Against Woman")	106
Orphans of the Street—Republic (64 min.)	203
Outlaw Express—Universal (56 min.)	Not Reviewed
Out West with the Hardys—MGM (83 min.)	203
Painted Desert—RKO (59 min.)	131
Panamint's Bad Man—20th Century-Fox (59 min.) ..	111
Passport Husband—20th Century-Fox (67 min.) ..	111
Peck's Bad Boy with the Circus—RKO (64 min.) ..	195
Penrod's Double Trouble—First Nat'l. (60 min.) ..	114
Personal Secretary—Universal (62 min.)	159
Phantom Gold—Columbia (56 min.)	Not Reviewed
Phantom Ranger—Monogram (53 min.)	Not Reviewed
Pioneer Trail—Columbia (55 min.)	Not Reviewed
Port of Seven Seas—MGM (80 min.)	118
Pride of the West—Paramount (55 min.)	Not Reviewed
Prison Break—Universal (72 min.)	118
Prison Train—Malcolm-Browne (65 min.)	190
Professor Beware—Paramount (92 min.)	118
Pygmalion—MGM (86 min.)	199
Racket Busters—Warner Bros. (70 min.)	122
Reformatory—Columbia (61 min.)	110
Rengade Ranger—RKO (59 min.)	154
Renfrew on the Great White Trail—	
Grand National (59 min.)	Not Reviewed
Rich Man, Poor Girl—MGM (71½ min.)	139
Ride a Crooked Mile—Paramount (77 min.)	202
Riders of the Black Hill—Republic (55m) ..	Not Reviewed
Road Demon—20th Century-Fox (70 min.)	175
Road to Reno—Universal (68 min.)	150
Rollin' Plains—Grand Nat'l (57 min.)	Not Reviewed
Romance and Rhythm—Warner (See "Cowboy from Brooklyn")	102
Room Service—RKO (78 min.)	154
Safety in Numbers—20th Century-Fox (58 min.) ..	139
Say It in French—Paramount (71 min.)	194
Secrets of an Actress—First National (69½ min.) ..	150
Secrets of a Nurse—Universal (74½ min.)	194
Service DeLuxe—Universal (86 min.)	174
Shadows over Shanghai—Grand Nat'l (64½ min.) ..	178
Sharpshooters—20th Century-Fox (63 min.)	190
Shining Hour, The—MGM (76 min.)	195
Shopworn Angel—MGM (84 min.)	115
Sing You Sinners—Paramount (89 min.)	134
Sisters, The—Warner Bros. (98 min.)	167
Six Shootin' Sheriff—Grand Nat'l (59m.) ..	Not Reviewed
Sixty Glorious Years—RKO (94½ min.)	194
Sky Giant—RKO (80 min.)	119
Smashing the Rackets—RKO (69 min.)	130
Smashing the Spy Ring—Columbia (61 min.)	211
Sons of the Legion—Paramount (61 min.)	155
South of Arizona—Columbia (56 min.)	Not Reviewed
South Riding—United Artists (84 min.)	111
Spawn of the North—Paramount (109 min.)	142
Speed to Burn—20th Century-Fox (61 min.)	122
Spring Madness—MGM (66½ min.)	191
Stablemates—MGM (89 min.)	167
Stagecoach Days—Columbia (58 min.)	Not Reviewed
Storm over Bengal—Republic (65 min.)	191
Storm, The—Universal (76 min.)	179
Straight, Place and Show—20th Cent.-Fox (67 min.) ..	162
Strange Boarders—Gaumont-British (71 min.)	155
Strange Case of Dr. Mead, The—Columbia (67 min.) ..	206
Strange Faces—Universal (66 min.)	187
Submarine Patrol—20th Century-Fox (94 min.)	182
Suez—20th Century-Fox (104 min.)	175
Sweethearts—MGM (113 min.)	210
Swing Sister Swing—Universal (67 min.)	207
Swing That Cheer—Universal (62 min.)	175
Tarnished Angel—RKO (68 min.)	179
Tenth Avenue Kid—Republic (65 min.)	145
Texans, The—Paramount (92 min.)	126
Thanks for Everything—20th Century-Fox (72½ m.) ..	203
Thanks for the Memory—Paramount (78 min.)	191
That Army Touchdown—Paramount	
(See "Touchdown Army")	159
That Certain Age—Universal (100 min.)	167
There Goes My Heart—United Artists (83 min.) ..	170
There's That Woman Again—Columbia (73 min.) ..	206
They're Off—20th Century-Fox	
(See "Straight, Place and Show")	162
Three Blind Mice—20th Century-Fox (75 min.) ..	107
Three Loves Has Nancy—MGM (68 min.)	150
Time Out For Murder—20th Century-Fox (59 min.) ..	131

Too Hot to Handle—MGM (105 min.)	158
Torchy Gets Her Man—Warner Bros. (62 min.)	183
Touchdown Army—Paramount (70 min.)	159
Tropic Holiday—Paramount (78 min.)	111
Two Gun Justice—Monogram (57 min.)	Not Reviewed
Unconventional Lady—Columbia (See "Holiday") ..	91
Under the Big Top—Monogram (63 min.)	151
Up the River—20th Century-Fox (76 min.)	190
Utah Trail, The—Grand Nat'l (59 min.)	Not Reviewed
Vacation from Love—MGM (65 min.)	167
Valley of the Giants—Warner Bros. (83 min.)	146
Wanted by the Police—Monogram (59 min.)	158
We're Going to Be Rich—20th Century-Fox (78 min.) ..	110
Western Trails—Universal (57 min.)	Not Reviewed
West of Cheyenne—Columbia (53 min.)	Not Reviewed
While New York Sleeps—20th Century-Fox (61 min.) ..	193
Whirlwind Horsemen—Grand Nat'l (58m.) ..	Not Reviewed
Woman Against Woman—MGM (60 min.)	106
You Can't Take It With You—Columbia (127 min.) ..	150
Young Dr. Kildare—MGM (81 min.)	171
Young Fugitives—Universal (68 min.)	107
Young in Heart, The—United Artists (90 min.)	183
Youth Takes a Fling—Universal (77 min.)	163

RELEASE SCHEDULE FOR FEATURES

Columbia Features

(729 Seventh Ave., New York, N. Y.)

9026 Flight to Fame—Farrell-Wells	Oct. 12
9020 The Little Adventuress—Fellows	Oct. 24
9211 In Early Arizona—All Star western (53m.) ..	Nov. 2
9028 Adventure in Sahara—Kelly-Gray	Nov. 15
9011 Blondie—Singleton-Lake	Nov. 30
9050 The Terror of Tiny Town—Midgents	Dec. 1
9202 Rio Grande—Starrett (59 min.)	Dec. 8
9022 The Strange Case of Dr. Mead—Holt	Dec. 15
There's That Woman Again—Douglas	Dec. 24
Smashing the Spy Ring (International Spy)—	
Wray-Bellamy	Dec. 29
North of Shanghai—Furness-Craig	Jan. 5
9203 The Thundering West—Starrett	Jan. 12
9212 Frontiers of '49—All Star western	Jan. 19
Lone Wolf's Daughter—William-Lupino ..	Jan. 27
9204 Texas Stampede—Starrett	Feb. 9
Homicide Bureau—Cabot-Hayworth	Feb. 15

First National Features

(321 W. 44th St., New York, N. Y.)

369 Girls on Probation—Reagan-Bryan	Oct. 22
355 Brother Rat—Morris-P. Lane-Wyman	Oct. 29
351 Angels with Dirty Faces—Cagney (reset) ..	Nov. 24
370 Comet over Broadway—Francis-Hunter	Dec. 3
362 Heart of the North—Foran-Dickson	Dec. 10
Going Places—Powell-Louise-Huber	Dec. 31

Gaumont-British Features

(1600 Broadway, New York, N. Y.)

Climbing High—J. Matthews-M. Redgrave	Dec. 1
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(Hereafter all Gaumont-British pictures will be released through Twentieth Century-Fox)

Grand National Features

(1501 Broadway, New York, N. Y.)

Beginning of 1938-39 Season

311 Shadows over Shanghai—Dunn-R. Morgan ..	Oct. 14
325 Frontier Scout—G. Houston-B. Marion (61m.) ..	Oct. 21
326 Titans of the Deep—(2 versions, one running	
47 min. and the other 38 min.)	Oct. 28
312 Cipher Bureau—L. Ames-J. Woodbury	Nov. 4
345 The Sunset Murder Case (The Sunset Strip	
Case)—Sally Rand (57 min.)	Nov. 11
The Long Shot—Jones-Hunt	Jan. 6
Water Rustlers—Dorothy Page	Jan. 6
Trigger Pals—Jarrett-Powell	Jan. 14
Exile Express—Anna Sten	Jan. 20
Ride 'Em Cowgirl—Dorothy Page	Jan. 20

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

904 Listen Darling—Garland-Bartholomew	Oct. 21
909 The Citadel—Donat-Russell-Richardson	Oct. 28
908 The Great Waltz—Rainer-Gravat-Korjus	Nov. 4
911 Spring Madness—O'Sullivan-Ayres-Hussey	Nov. 11
912 The Shining Hour—Crawford-Sullavan	Nov. 18
913 Out West with the Hardys—Rooney-Stone	Nov. 25
914 Flirting with Fate—Joe E. Brown	Dec. 2
915 Dramatic School—Rainer-Marshall-Goddard	Dec. 9
917 A Christmas Carol—Owen-Kilburn (re.)	Dec. 16
916 The Girl Downstairs (Katherine the Last)—Gaal-Tone-Connolly (reset)	Dec. 23
910 Sweethearts—MacDonald-Eddy-F. Morgan	Dec. 30
918 Stand Up and Fight—Taylor-Beery-Rice	Jan. 6
919 Burn 'Em Up O'Connor—O'Keefe-Parker	Jan. 13
920 Idiot's Delight—Gable-Shearer	Jan. 20

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

3860 Where the Buffalo Roam—Ritter (62 min.)	Oct. 12
3801 Gangster's Boy—Jackie Cooper	Nov. 9
3851 Gun Packer—Jack Randall (49m.) (reset)	Nov. 16
3818 Gang Bullets—Anne Nagel (reset)	Nov. 23
3861 Song of the Buckaroo (Little Tenderfoot)—Tex Ritter (56 min.)	Nov. 23
3812 I Am a Criminal—J. Carroll (reset)	Dec. 14
3852 Wild Horse Canyon (Last Outlaw)—Jack Randall (50 min.)	Dec. 21
3819 Tough Kid—Frankie Darro (reset)	Dec. 28
Convict's Code—Nagel-R. Kent	Jan. 11
Drifting Westward—Jack Randall	Jan. 25
Sundown on the Prairie—Tex Ritter	Feb. 1
Navy Secrets—Wray-Withers	Feb. 8

Paramount Features

(1501 Broadway, New York, N. Y.)

3807 Mysterious Rider—Dumbrille-Fields (72m.)	Oct. 21
3808 Men with Wings—MacMurray	Oct. Special
3809 Illegal Traffic—Naish-Carlisle	Nov. 4
3810 If I were King—Colman-Dee-Rathbone	Nov. 11
3811 Thanks for the Memory—Hope-Ross	Nov. 18
3812 Arrest Bulldog Drummond—Howard-Angel	Nov. 25
3813 Say It in French—Bradna-Milland	Nov. 25
3814 Little Orphan Annie—Gillis-Kent	Dec. 2
3815 Ride a Crooked Mile—Tamiroff-Farmer	Dec. 9
3856 The Frontiersman—Boyd-Hayes (73½m.)	Dec. 16
3816 Tom Sawyer, Detective—O'Connor-Cook	Dec. 23
3817 Artists and Models Abroad—Benny	Dec. 30
King of Chinatown—Wong-Tamiroff-Naish	Jan. 6
Zaza—Colbert-Marshall-Lahr	Jan. 13
Disbarred—Patrick-Kruger-Preston	Jan. 20
Ambush—Swarthout-Nolan-Henry	Jan. 20
Paris Honeymoon—Crosby-Gaal-Tamiroff	Jan. 27
St. Louis Blues—Nolan-Lamour-Ralph	Feb. 3
One Third of a Nation—Sidney-Erikson (re.)	Feb. 10

Republic Features

(1776 Broadway, New York, N. Y.)

806 I Stand Accused—Cummings-Mack-Talbot	Oct. 28
807 Storm over Bengal—P. Knowles-Cromwell	Nov. 14
863 Santa Fe Stampede—Three Mesq. (56 min.)	Nov. 18
818 Come On Rangers—Rogers-Hart (58 min.)	Nov. 25
841 Western Jamboree—Autry (56 min.)	Dec. 2
819 Orphans of the Street—Livingston-Ryan	Dec. 5
864 Red River Range—Three Mesq. (56 min.)	Dec. 22
852 Shine On Harvest Moon—Rogers-Hart (57m.)	Dec. 23
Federal Man Hunt—Livingston-Travis (64m.)	Dec. 26

RKO Features

(1270 Sixth Ave., New York, N. Y.)

906 The Mad Miss Manton—Stanwyck-Fonda	Oct. 21
907 Tarnished Angel—Eilers	Oct. 28
981 Lawless Valley—George O'Brien	Nov. 4
908 Annabel Takes a Tour—Ball-Oakie	Nov. 11
909 The Law West of Tombstone—H. Carey	Nov. 18
948 Peck's Bad Boy with the Circus—Kelly	Nov. 25
910 Next Time I Marry—Ball-Ellison	Dec. 9

Twentieth Century-Fox Features

(444 W. 56th St., New York, N. Y.)

913 Suez—Power-Young-Annabella	Oct. 28
914 Always in Trouble—Withers	Nov. 4
915 Just Around the Corner—Temple	Nov. 11
916 Sharpshooters—Donlevy-Bari	Nov. 18
909 Submarine Patrol—Greene-Kelly	Nov. 25
918 Road Demon—Arthur-Valerie-Armetta	Dec. 2
924 Up the River—Martin-Brooks-Foster	Dec. 9
920 Down on the Farm—Jed Prouty	Dec. 16
917 Thanks for Everything—Menjou-Oakie	Dec. 23
923 Kentucky—Young-Greene-Brennan	Dec. 30
922 While New York Sleeps—Whalen-Rogers	Jan. 6
928 Charlie Chan in Honolulu—Toler-Brooks	Jan. 13
926 Mr. Moto's Last Warning—Lorre-Cortez	Jan. 20
933 Smiling Along—Fields-Maguire-Livesey	Jan. 20
921 Jesse James—Power-Fonda-Kelly	Jan. 27
929 The Arizona Wildcat—Withers-Carrillo	Feb. 3
925 Tail Spin—Faye-C. Bennett-Kelly-Farrell	Feb. 10
927 The Three Musketeers—Ameche-Ritz Bros.	Feb. 17

United Artists Features

(729 Seventh Ave., New York, N. Y.)

The Young in Heart—Gaynor-Fairbanks, Jr.	Oct. 27
The Cowboy and the Lady—Cooper-Oberon	Nov. 17
Trade Winds—March-J. Bennett-Sothorn	Dec. 22
The Duke of West Point—T. Brown-Hayward	Dec. 29
Topper Takes a Trip—C. Bennett-Young-Burke	Jan. 12

Universal Features

(1250 Sixth Ave., New York, N. Y.)

A3052 Guilty Trail—Bob Baker (57 min.)	Oct. 21
A3013 Service DeLuxe—C. Bennett-Price	Oct. 21
A3016 The Storm—Bickford-MacLane-Grey	Oct. 28
A3028 The Last Express—K. Taylor-D. Kent	Oct. 28
A3032 Exposed—Farrell-Kruger	Nov. 4
A3053 Prairie Justice—Bob Baker (57 min.)	Nov. 4
A3036 His Exciting Night—Ruggles-Munson	Nov. 11
A3042 Mars Attacks the World—(67½ min.)	Nov. 18
A3011 Little Tough Guys in Society—Boland	Nov. 25
A3035 Strange Faces—Kent-Jenks (reset)	Dec. 2
A3022 Secrets of a Nurse—Lowe-Mack (reset)	Dec. 9
A3054 Ghost Town Riders—Bob Baker (54 min.)	Dec. 16
A3021 Swing Sister Swing—Murray-Downs-Kane	Dec. 16
Newsboys' Home—J. Cooper-W. Barrie (73 min.)	Dec. 23
A3027 The Last Warning—Foster-Jenks (reset)	Jan. 6
Son of Frankenstein—Karloff-Rathbone	Jan. 13
A3055 Honor of the West—Bob Baker (58 min.)	Jan. 13
Gambling Ship—Wilcox-Mack	Jan. 20
Pirates of the Skies—K. Taylor (reset)	Feb. 3
You Can't Cheat an Honest Man—W. C. Fields-Bergen	Feb. 17

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

302 The Sisters—Flynn-Davis-Louise	Oct. 15
310 Hard to Get—Powell-DeHavilland	Nov. 5
318 Torchy Gets Her Man—Farrell-MacLane	Nov. 12
319 Nancy Drew, Detective—Granville-Litel	Nov. 26
The Dawn Patrol—Flynn-Rathbone-Niven	Dec. 24
Devil's Island—Karloff-Harrigan	Jan. 7
They Made Me a Criminal—Garfield-Rains	Jan. 14
Off the Record—O'Brien-Blondell	Jan. 21
King of the Underworld—Bogart-Francis	Jan. 28

SHORT SUBJECT RELEASE SCHEDULE

Columbia—One Reel

9503 Little Moth's Big Flame—Color Rhap. (8m.)	Nov. 3
9802 Ski Rhythm—Sport Thrills (9½m.)	Nov. 4
9652 Community Sing No. 2—(10½m.)	Nov. 4
9551 Bermuda, Islands of Paradise—Tours (10½ min.)	Nov. 4
9752 Happy Birthday—Scrappys (6m.)	Nov. 17
9552 Provincial Quebec—Tours (10½m.)	Nov. 18
9901 Washington Parade—Issue #1 (10m.)	Nov. 18
9853 Screen Snapshots No. 3—(9½m.)	Nov. 20
9504 Midnight Frolics—Color Rhapsody (7½m.)	Nov. 24

9653 Community Sing No. 3—(10½m.)Dec. 2
 9703 The Lone Mountie—Krazy Kat (6½m.)Dec. 10
 9854 Screen Snapshots No. 4—(9½m.)Dec. 15
 9505 The Kangaroo Kid—Color RhapsodyDec. 23
 9803 King Vulture—Sport ThrillsDec. 23
 9654 Community Sing No. 4—(10½m.)Dec. 30
 9804 Get Ready Navy—Sport ThrillsJan. 6
 9902 Washington Parade—Issue #2Jan. 6
 9855 Screen Snapshots No. 5Jan. 6
 9753 Scrappy's Added Attraction—Scrappys.....Jan. 13
 9506 Peaceful Neighbors—Color RhapsodyJan. 26
 9704 Krazy's Bear Tale—Krazy KatJan. 27
 9655 Community Sing No. 5—(9½m.)Jan. 27
 (9553 "Big Town," listed in the last Index as a December 2 release, has been withdrawn)

Columbia—Two Reels

9125 Shoot to Kill—Spider #5 (17m.)Nov. 18
 9126 Sealed Lips—Spider #6 (16½m.)Nov. 25
 9127 Shadows of the Night—Spider #7 (16½m.)...Dec. 2
 9403 Flat Foot Stooges (Three Goofy Gobs)—
 Stooze (15½ min.) (reset)Dec. 5
 9128 While the City Sleeps—Spider #8 (16½m.)...Dec. 9
 9426 Home on the Range—All Star (17m.).....Dec. 9
 9129 Doomed—Spider #9 (17m.)Dec. 16
 9130 Flaming Danger—Spider #10 (17m.)Dec. 23
 9427 Pie a la Maid—All Star (18m.)Dec. 23
 9131 Road to Peril—Spider #11 (16m.)Dec. 30
 9132 The Spider Falls—Spider #12 (15m.)Dec. 30
 9404 Three Little Sew and Sews—Stooze (16m.)...Jan. 6
 9133 The Man Hunt—Spider #13 (16m.)Jan. 13
 9134 The Double Cross—Spider #14 (17½m.)Jan. 20
 9428 Swing You Swingers—All Star (19½m.)Jan. 20
 9135 The Octopus Unmasked—Spider #15 (15m.)...Jan. 27
 Challenge in the Sky—Flying G-Men #1Jan. 28
 Flight of the Condemned—Flying G-Men #2...Feb. 4
 9429 Mutiny on the Body—All Star comedyFeb. 10

Metro-Goldwyn-Mayer—One Reel

1937-38 Season

S-715 Grid Rules—Pete Smith (10m.)Oct. 15
 W-692 The Captain's Christmas—Capt. Cartoon
 technicolor (8 min.)Dec. 17
 (one more to come)

1938-39 Season

F-952 Opening Day—Robert Benchley (9m.)Nov. 12
 M-874 Miracle of Salt Lake—Miniatures (11m.)...Nov. 12
 C-933 Football Romeo—Our Gang (10m.)Nov. 12
 S-902 Man's Greatest Friend—P. Smith (10m.)...Nov. 19
 T-854 Sydney, Pride of Australia—Travel. (9m.)...Dec. 3
 F-953 Mental Poise—Benchley (7m.)Dec. 10
 S-903 Penny's Picnic—Pete Smith (tech) (10m.)...Dec. 17
 C-934 Practical Jokers—Our Gang (9m.)Dec. 17
 T-855 Singapore and Jahore—Traveltalk (9m.)...Dec. 31

Metro-Goldwyn-Mayer—Two Reels

Beginning of 1938-39 Season

R-801 Men of Steel—Musicals (21m.)Dec. 17
 P-811 The Wrong Way Out—Crime Doesn't Pay
 (17 min.)Dec. 24
 R-802 Once Over Lightly—Musicals.....Dec. 31

Paramount—One Reel

V8-4 Raising Canines—Paragrophic (9½m.)Nov. 11
 E8-4 A Date to Skate—Popeye cart. (7m.)Nov. 18
 R8-5 Super-Athletes—Sportlight (9½m.)Nov. 25
 T8-4 On with the New—Betty Boop (6m.) (re.)...Dec. 2
 A8-5 Hal Kemp and His Orchestra—Head. (9m.)...Dec. 2
 L8-3 Unusual Occupations #3—(10m.)Dec. 2
 K8-3 Costa Rica—Color Cruises (9m.)Dec. 2
 P8-5 Paramount Pictorial #5—(8½m.)Dec. 9
 V8-5 Oh Say, Can You Ski—Para. (10½m.)Dec. 16
 R8-6 Frolicking Frogs—Sportlight (9½m.)Dec. 23
 T8-5 Pulg in Thrills and Chills—B. Boop
 (5½ min.) (reset)Dec. 23
 E8-5 Cops Is Always Right—Popeye (7m.)Dec. 30
 C8-3 Always Kickin'—Color ClassicJan. 6
 A8-6 A Song Is Born—Headliner (9½m.)Jan. 6
 P8-6 Paramount Pictorial #6Jan. 6
 J8-3 Popular Science #3Jan. 6

RKO—One Reel

94303 Bird Dogs—Sportscope (10m.)Nov. 4
 94603 Dude Ranch—Reelism (9m.)Nov. 11
 94204 Venetian Moonlight—Nu Atlas (11m.)Nov. 25
 94104 Ferdinand and the Bull—Disney (8m.)Nov. 25
 94304 Blue Grass—Sportscope (10m.)Dec. 2
 94105 Merbabies—Disney (9m.)Dec. 9
 94604 Newsreel—Reelism (10m.)Dec. 9
 94205 Cafe Rendezvous—Nu Atlas (10m.)Dec. 23
 94106 Mother Goose Goes Hollywood—Disney
 (8 min.)Dec. 23
 94305 On the Wing—Sportscope—(10m.).....Dec. 30

RKO—Two Reels

93104 March of Time—(18m.)Nov. 25
 93402 A Clean Sweep—E. Kennedy (17m.)Dec. 2
 93502 Prairie Paps—Ray Whitley (18m.)Dec. 16
 93105 March of Time—(18m.)Dec. 23
 93602 Romancing Along—Headliner (21m.).....Dec. 30

Twentieth Century-Fox—One Reel

9202 Filming Big Thrills—Adv. Cam. (9½m.) ...Sept. 30
 9522 The Glass Slipper—Terry-Toon (6½m.)Oct. 7
 9102 Land of Contentment—L. Thomas (10½m.)...Oct. 14
 9504 The New Comer—Terry-Toon (6½m.)Oct. 21
 9301 Timber Toppers—Sports (10½m.)Oct. 28
 9505 The Stranger Rides Again—T.-Toon (7m.)...Nov. 4
 9204 Athletic Oddities—Adv. Cam. (9m.)Nov. 11
 9523 Housewife Herman—Terry-Toon (6½m.)...Nov. 18
 9402 What Every Girl Should Know—Lehr (11)...Nov. 25
 9506 Village Blacksmith—Terry-Toon (6½m.)...Dec. 2
 9203 Daily Diet of Danger—Adv. Cam. (9m.)Dec. 9
 9524 Gandy Goose in Doomsday—Terry-ToonDec. 16
 9602 Fashion ForecastsDec. 23
 9507 Gandy Goose in the Frame Up—Toon (6½m.)...Dec. 30

Universal—One Reel

1938-39 Season

A3366 Stranger Than Fiction #55—(9½m.)Oct. 10
 A3242 Rabbit Hunt—Lantz cartoon (7m.)Oct. 17
 A3243 The Sailor Mouse—Lantz cartoon (7m.) ...Nov. 7
 A3354 Going Places with Thomas #56—(10m.)...Nov. 14
 A3368 Stranger Than Fiction #57—(9m.)Dec. 5
 A3244 Disobedient Mouse—Lantz cartoon (8m.)...Nov. 28
 A3355 Going Places with Thomas #57—(8½m.)...Nov. 28
 A3368 Stranger Than Fiction #57 (9m.)Dec. 5
 A3245 Baby Kittens—Lantz cartoon (8m.)Dec. 19
 A3356 Going Places with Thomas #58—(9m.) ...Dec. 26
 A3246 Little Blue Blackbird—Lantz cart. (7m.)...Dec. 26
 A3369 Stranger Than Fiction #58—(9m.)Jan. 2
 A3247 Crack Pot Cruise—Lantz cartoonJan. 9
 A3357 Going Places with Thomas #59Jan. 16
 A3248 Soup to Muts—Lantz cartoon (7m.)Jan. 23

Universal—Two Reels

A3225 Music and Models—Mentone (18m.)Dec. 14
 A3690 The False Trail—Barry #10 (20m.)Dec. 20
 A3691 Heavy Odds—Barry #11 (19m.)Dec. 27
 A3692 The Enemy Within—Barry #12 (19m.)Jan. 3
 A3693 Mission of Mercy—Barry #13 (20m.)Jan. 10
 A3226 Nautical Knights—Mentone (19m.)Jan. 11
 A3781 Death Rides the Air—Scouts to the Rescue
 #1 (20 min.)Jan. 17
 A3782 Avalanche of Doom—Scouts #2 (22m.)Jan. 24
 A3783 Trapped by Indians—Scouts #3 (21m.)Jan. 31

Vitaphone—One Reel

4804 The Daffy Doc—Looney Tunes (7m.)Nov. 26
 4604 Nature's Mimics—Color Parade (10m.)Dec. 3
 4506 Daffy Duck in Hollywood—Mer. Mel. (8m.)...Dec. 3
 4705 Happy Felton & Orch.—Mel. Mast. (10m.)...Dec. 3
 4304 Treacherous Waters—True Adv. (10m.)....Dec. 10
 4904 Robbin' Good—Vit. Varieties (10m.)Dec. 10
 4805 Porky the Gob—Looney Tunes (8m.)Dec. 17
 4507 Count Me Out—Merrie Melodies (7m.)Dec. 17
 4706 Dave Apollon & Orch.—Mel. Mast. (11m.)...Dec. 24
 4508 The Mice Will Play—Mer. Melodies (7m.)...Dec. 31
 4605 Mechanix Illustrated #2—Color Parade.....Dec. 31

Vitaphone—Two Reels

4014 Cleaning Up—Cross & Dunn (17m.)Nov. 12
 4002 Declaration of Independence—Technicolor
 Prod. (18 min.)Nov. 26
 4015 Stardust—Benny Davis (18m.)Dec. 10
 4016 Boarder Trouble—Joe Asbestos (19m.)Dec. 17
 4017 Hats and Dogs—Wini Shaw (18m.)Dec. 31
 4003 Swingtime in the Movies—Tech. Pro. (20m.)...Jan. 7
 4018 Spare Parts—Bway. BrevitiesJan. 21

NEWSWEEKLY NEW YORK RELEASE DATES

Universal

733 Wednesday ..Jan. 11
 734 SaturdayJan. 11
 735 Wednesday ..Jan. 11
 736 SaturdayJan. 14
 737 Wednesday ..Jan. 18
 738 SaturdayJan. 21
 739 Wednesday ..Jan. 25
 740 SaturdayJan. 28
 741 Wednesday ..Feb. 1
 742 SaturdayFeb. 4
 743 Wednesday ..Feb. 8
 744 SaturdayFeb. 11

Fox Movietone

33 Wednesday ..Jan. 4
 34 SaturdayJan. 7
 35 Wednesday ..Jan. 11
 36 SaturdayJan. 14
 37 Wednesday ..Jan. 18
 38 SaturdayJan. 21
 39 Wednesday ..Jan. 25
 40 SaturdayJan. 28
 41 Wednesday ..Feb. 1
 42 SaturdayFeb. 4
 43 Wednesday ..Feb. 8
 44 SaturdayFeb. 11

Paramount News

44 Wednesday ..Jan. 4
 45 SaturdayJan. 7
 46 Wednesday ..Jan. 11
 47 SaturdayJan. 11
 48 Wednesday ..Jan. 18
 49 SaturdayJan. 21
 50 Wednesday ..Jan. 25
 51 SaturdayJan. 28
 52 Wednesday ..Feb. 1
 53 SaturdayFeb. 4
 54 Wednesday ..Feb. 8
 55 SaturdayFeb. 11

Metrotone News

231 Wednesday ..Jan. 4
 232 SaturdayJan. 7
 233 Wednesday ..Jan. 11
 234 SaturdayJan. 14
 235 Wednesday ..Jan. 18
 236 SaturdayJan. 21
 237 Wednesday ..Jan. 25
 238 SaturdayJan. 28
 239 Wednesday ..Feb. 1
 240 SaturdayFeb. 4
 241 Wednesday ..Feb. 8
 242 SaturdayFeb. 11

Pathe News

95248 Wed. (E.)..Jan. 4
 95149 Sat. (O.)..Jan. 7
 95250 Wed. (E.)..Jan. 11
 95151 Sat. (O.)..Jan. 14
 95252 Wed. (E.)..Jan. 18
 95153 Sat. (O.)..Jan. 21
 95254 Wed. (E.)..Jan. 25
 95155 Sat. (O.)..Jan. 28
 95256 Wed. (E.)..Feb. 1
 95157 Sat. (O.)..Feb. 4
 95258 Wed. (E.)..Feb. 8
 95159 Sat. (O.)..Feb. 11

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Columns, if It is to Benefit the Exhibitor.

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SATURDAY, JANUARY 14, 1939

No. 2

AN OPEN LETTER TO THE ALLIED STATES BOARD OF DIRECTORS

Gentlemen:

You are about to convene in Washington to discuss the memorandum that has been submitted to your negotiating committee by the producers as a basis for settling the exhibitor-producer disputes that have kept the industry in a turmoil.

Your responsibility is, indeed, heavy, particularly because your action may affect, (a) the Government suit, (b) the Neely Bill, and (c) the North Dakota Theatre Divorce Measure case.

An analysis of the producer memorandum in the December 24 and 31, and in the January 7 issues of this paper has disclosed that what has been offered to the exhibitors is so little that, in the opinion of many exhibitors, it is not worth even discussing. Some of the offers have been so framed as to make the memorandum seem to be a Magna Carta for the producers rather than a list of concessions for the exhibitors.

For instance, Proposal No. 13 requires you to accept the principle that, regardless of what understanding you may reach with the producers, their right to build or acquire theatres shall in no way be either abridged or curtailed. This would, indeed, have a serious consequence were you to accept it on behalf of the exhibitors.

It is hardly necessary for me to call your attention to how little is offered by the other proposals; all that I wish to say is this: you have battled for more than ten years and you have finally arrived at a point where relief is in sight. The Federal Government has brought against the producers a suit intended to effect a divorcement of exhibition from production-distribution. The passage of the Neely Bill through the Senate, and the favorable sentiment of a majority of the members of the House of Representatives toward this measure, is proof that block booking can be eliminated by legislation. And the enactment of the North Dakota Theatre Divorce Law is an indication that, should the U. S. Supreme Court uphold this law, theatre divorcement can be brought about not only by Federal action, but also by state legislation. Consequently, unless the producers come forward, not with half-measures, but with real concessions, it will be your duty to reject them, letting matters take their natural course. Methods of doing business are undergoing great changes; it is no longer a case of "proprietary rights," but one of "human rights." This is the slogan of the United States Government, and it must become the slogan of the motion picture industry.

Very sincerely yours,

P. S. HARRISON.

THREE CHEERS FOR MARTIN QUIGLEY

Under the heading, "What the Industry Faces in 1939," Mr. Martin Quigley, Editor-in-Chief and Publisher of Motion Picture Herald, published in the December 17 issue of that paper of his an editorial which is so constructive that HARRISON'S REPORTS has felt obliged to call it to the attention of the readers of this publication, for it believes that the case of the exhibitor could not have been defended more effectively.

Lack of space necessitates the reproduction of only the salient parts of that editorial.

"Little doubt remains," says Mr. Quigley, "that the American picture industry will face a variety of thorough-

going changes during the coming year. Out of the changes that are in prospect there is hope of a better business. This is fortunately so because the recent trend has been almost evenly in the wrong direction.

"Looming large on the horizon is the government suit, the outcome of which, despite the perverse or studied indifference of many in the industry, is almost certain to have a profound effect on the business and its future operation. There is naturally a devotion to the status quo on the part of its beneficiaries even though there must be few who are prepared to admit satisfaction over the present condition in industry affairs. It perhaps cannot be demonstrated in advance that extensive alteration in industry procedure will increase the general prosperity. But if the year 1938 may be taken as the fruition of existing policies, something in the way of experimentation for the future seems in order.

"The product situation and the accompanying question of costs admits of almost innumerable explanations, but one that inevitably bids for attention is the iron-ring status, that condition under which new people and new ideas are not necessarily excluded. But their admission depends not upon what they may show in a competitive test, but, rather, upon their good fortune and right connections useful in penetrating the wall which has been created to keep the insiders in and the outsiders out. . . .

"When the public stays away it is because of a particular poor picture which is presented currently. . . . Release date requirements, inability of the theatre to book a better attraction, a picture contracted for sight unseen—all these and others may serve to explain how the poor picture got into the theatre. But they afford little satisfaction to the public which after paying the admission price has not been entertained. . . .

"There is, naturally enough, much speculation on the economic results of the condition of bureaucratic operation which has come to characterize various activities of the business. Distributors, in some instances, by virtue of their power to dictate time and conditions of exhibition undertake, in effect, to run theatres, frequently against the experienced judgment of the actual operators. If these many intricate and involved arrangements proved to be materially advantageous to the distributor, there would be that much, at least, to be said in their favor. But it becomes frequently the case that, while an advantage to the distributor is sought, none actually is gained. And the exhibitor, curbed and handicapped in taking the line his judgment dictates, finds his chance of sustaining profitable operation diminished week by week. This and similar conditions are not matters which half-way measures are likely to correct. A new concept as to what constitutes healthy and constructive trade practices is needed.

"The disappearance of the old order of spirited merchandising of the motion picture to the public is well exemplified in certain of the large theatre circuits where the procedure has become as humdrum and routine as that of a railroad office. Here may be seen applied in its full bloom the adage—so beloved by banker and bookkeeper—that a dollar saved is a dollar earned. Advertising budgets have been pruned to the vanishing point, the process meanwhile pleasing highly its sponsors who are so rapturously immersed in expense curtailment tabulations that they fail to comprehend the import of the figures which trace the descending line in attendance.

"The motion picture as a public attraction has lost many of its early, unique advantages. Radio is not an ally. It is a competitor of formidable proportions. What was once the magic of the motion picture has come to be commonplace. . . .

(Continued on last page)

"Tough Kid" with Frankie Darro, Dick Purcell and Judith Allen

(Monogram, December 28; time, 59 min.)

A fairly good program melodrama, suitable mostly for neighborhood theatres. Frankie Darro is a standout in the part of the young brother who idolizes and watches over his older brother (Dick Purcell), a pugilist; he wins one's sympathy by his honesty and efforts to do the right thing. The bouts are exciting; and, for once, a novel touch has been injected, by having the hero lose the title bout. Incidentally, one is held in tense suspense during this bout, because of one's desire to see the hero win. Human appeal, romance, and slight comedy touches are combined with the melodrama:—

When Darro hears that Purcell (his brother) had signed up with Don Rowan to manage him, he is discouraged, for he had heard that Rowan was crooked; this, he felt, might ruin his brother's career. Rowan arranges for Purcell to fight the champion. A certain gambler (William Ruhl), having bet a large sum of money against Purcell, tries to induce him to throw the fight; but he refuses. When Ruhl learns that Purcell's fiancée (Judith Allen), who sang at his night club, was not well, he pretends to show concern over her health and induces Purcell to take her to the office of a famous doctor. Through a trick, he has his own henchman pretend to be the doctor; they lead Purcell to believe that Miss Allen was very sick and that she had to go out West. Being unable to obtain the money for her care, Purcell agrees to throw the fight for \$1,000. Ruhl arranges to send Miss Allen away, but really makes her his prisoner. Darro finds out about the trick; but the gamblers prevent him from getting to his brother. He manages to escape, but it is too late, for by the time he gets to the arena Purcell had lost the fight. With the information Darro had obtained, Purcell is able to have the gang arrested. He rescues Miss Allen, and then marries her.

Brenda Weisberg wrote the story, and Wellyn Totman, the screen play; Howard Bretherton directed it, and Lindsley Parsons produced it. In the cast are Lillian Elliott, Lew Kelly, Ralph Peters, and others.

Not for children. Class B.

"Devil's Island" with Boris Karloff

(Warner Bros., January 7; time, 62 min.)

A grim melodrama. The sordid surroundings and scenes of suffering by the men imprisoned on the island tend to depress the spectator. It is unpleasant also in other respects—in characterizations, as well as in the actions of some of the characters. And the story in itself is somewhat artificial. One feels pity for the hero, an innocent victim of political intrigue, who, when placed on the island, suffers intensely, both physically and mentally; but this is not enough to hold one's interest. There is no romance:—

Tried as a traitor because he, a doctor, had operated on a revolutionist who had been shot, Boris Karloff, an eminent surgeon, is sentenced to imprisonment on Devil's Island. The hard work and cruel treatment break his spirit. When one of the prisoners dies, a group of prisoners, led by Karloff, revolt. In the fight that follows one of the guards is killed. Karloff and several other prisoners are sentenced to death. The commander (James Stephenson) offers to spare Karloff's life and the lives of the other prisoners if he would operate on his child, who had met with an accident. Karloff performs the operation and saves the child, but Stephenson goes back on his word. Karloff and a few others escape, but are caught and taken back. Stephenson's wife (Nedda Harrigan), knowing that Karloff would be killed because he knew too much about Stephenson's crooked work on the island, rushes to the Governor for help. He and the newly appointed Minister rush to the island in time to save Karloff's life. The Minister brings Karloff the happy news that he had been pardoned. Stephenson is arrested. Under Karloff's supervision, a new regime governs the island; the prisoners are promised help and consideration. Miss Harrigan leaves the island with her child.

Anthony Coldeway wrote the story, and Don Ryan and Ken Gamet, the screen play. William Clemens directed it, and Bryan Foy produced it. In the cast are Rolla Gourvich, Tom Wilson, Egon Brecher, and others.

Not for children. Class B.

"Smiling Along" with Gracie Fields

(20th Century-Fox, January 20; time, 92 min.)

Just a mildly entertaining comedy, with only slight appeal for American audiences. The story is trite, the situations silly, and the accents too "thick." Not only does the plot lack originality, but it moves along at a slow pace, at times tiring the spectator. Although Miss Fields works hard, she does not make the picture entertaining. It is doubtful if it will draw at the box-office, for, unlike "We're Going to Be Rich," which had Victor McLaglen and Brian Donlevy assisting Miss Fields, there are no players of box-office value here:—

A troupe, headed by Miss Fields, lose their booking at a music hall because of an argument Miss Fields had with the manager who was cheating them. They find themselves unable to earn any money. Miss Fields, feeling responsible for their plight, invites them all to her grandfather's farm; but their presence so irritates him that he orders them to leave. Just when things look really bad, they become acquainted with a famous pianist, whose dog they had found. He falls in love with Mary Maguire, a member of the troupe, and promises to help them by appearing with them. Their former manager tries to stop them by kidnapping the pianist; but he escapes in time to make an appearance and thus assure the troupe's success. Feeling secure with a two year contract, Miss Maguire and the pianist marry. And Miss Fields and her assistant (Roger Livesey), who had been in love for a long time, decide to marry.

Sanda Farago and Alexander Kenedi wrote the story, and William Conselman, the screen play; Monty Banks directed it, and Robert T. Kane produced it. In the cast are Peter Coke, Jack Donahue, Hay Hetrie, and others.

Suitability, Class A.

"Stand Up and Fight" with Robert Taylor, Wallace Beery and Florence Rice

(MGM, January 6; time, 96 min.)

A very good outdoor action melodrama, with romance and comedy. It is different from anything that Robert Taylor has appeared in, which is to his advantage, as it gives him an opportunity to appear in a real "he-man" part. Men in particular should be thrilled, for the story offers opportunities for plentiful action and thrilling situations. Two fist fights between Wallace Beery and Robert Taylor are standouts; there are also other fights and fast horseback riding. The story, although it can be classified as a Western, is superior to the ordinary outdoor picture, for it revolves around an interesting era in American history; moreover, the production values are very good. The romance is of importance, being the motivating force in the hero's regeneration. The story takes place during the period when the Baltimore and Ohio started building its railroad:—

Taylor, an impoverished Southern gentleman, goes West to start all over again. He gets into a fight during a poker game and is thrown into jail. Beery, who had been instrumental in sending him there, offers to bail him out on condition that he work off the fine by driving one of his freight stagecoaches. Taylor refuses, demanding to see Beery's employer. To his surprise, the owner turns out to be Florence Rice, whom he had known in better times, and with whom he had quarreled. She offers to let him go, but he refuses, preferring to work out the fine as Beery, her manager, had demanded. Taylor suspects Beery of using the company's coaches for slave-running; his suspicions are confirmed when he finds one of his old slaves held a prisoner. He helps him to escape, but later finds the man murdered. Taylor, acting for the railroad company, gets the facts together and presents them to the government; this involves Miss Rice. Not having known anything about the slave running, she suspects Taylor of trying to ruin her company in order to help the railroad; but she learns the truth, and forgives him. The slave-running leaders are caught, and Miss Rice is cleared. Taylor, who, by this time, had learned to like Beery, saves him. Miss Rice turns over her stagecoach line to Beery, in order to marry Taylor, who had taken a job as railroad traffic manager.

Forbes Parkhill wrote the story, and James H. Cain, Jane Murfin, and Harvey Ferguson, the screen play; W. S. VanDyke, II, directed it, and Mervyn LeRoy produced it. In the cast are Helen Broderick, Charles Bickford, Barton MacLane, Charley Grapewin, John Qualen, Robert Gleckler, and others.

Suitability, Class A.

"Federal Man Hunt" with Robert Livingston and June Travis

(Republic, December 26; time, 63 min.)

A fairly good program gangster melodrama, well directed and acted. It has fast action, exciting situations, and a pretty interesting story. The fact that the heroine becomes involved innocently with the gangsters holds one in suspense, since her life is endangered thereby. Towards the end, the action becomes rather thrilling. The romance is developed in a believable way:—

June Travis, believing John Gallaudet to be innocent of the charges of having stolen his firm's payroll, arrives at the prison to marry him; but just before the ceremony begins he escapes. After questioning by the police, Miss Travis is permitted to leave. She goes to a hideout to meet Gallaudet. He sends her to get a parcel he had checked at a railroad station, without telling her it contained the payroll money he had actually stolen. According to his instructions, she starts out on a trip, arranged by Gallaudet and his henchmen, which was to take her to a place where he would be waiting for her. She had to travel by a private car in which there are several other passengers. One of the passengers is Robert Livingston, a private detective, who was checking up on the racket of unlicensed private cars taking passengers for fare across country. On the way, the driver picks up Gallaudet, who warns the passengers to be quiet. Miss Travis soon learns the bitter truth—that Gallaudet was really a criminal; Livingston, too, finds this out. The driver stops at a hideout, where the other passengers are forced to stay. Eventually Livingston, through a ruse, attracts the police to the house. Gallaudet and the gang are caught; Miss Travis turns the money over to the police. Her name is cleared; she and Livingston look forward to happier times together.

Sam Fuller and William Lively wrote the story, and Maxwell Shane, the screen play; Nick Grinde directed it, and Armand Schaefer produced it. In the cast are Ben Welden, Horace MacMahon, Charles Halton, and others.

Not for children. Suitability, Class B.

"Charlie Chan in Honolulu" with Sidney Toler, Phyllis Brooks and John King

(20th Century-Fox, January 13; time, 67 min.)

A pretty good program murder-mystery melodrama. Considering that this is Sidney Toler's first appearance in the part of Chan, he does fairly well; it may be that in time, he will overcome the handicap of impersonating the role the late Warner Oland played so well. There is plentiful comedy; the laughter is provoked by the attempts of two of Chan's sons to follow in their father's footsteps, and by Eddie Collins, an excitable keeper of lions. The story holds one's interest throughout, and keeps one guessing as to the murderer's identity; it turns out that he is the one least suspected:—

While Toler is at the hospital awaiting the birth of his first grandchild, his young son receives a telephone message from the Police Department requesting that Toler go to a ship that had just docked, to investigate a murder which had been committed aboard. The young son, knowing that his older brother was eager to prove to their father that he could make a good detective, suggests that they go to the ship and work on the case. The older son tries to act tough, but he is frightened; he is happy when his father finally arrives. During the investigation another passenger is murdered. Phyllis Brooks, who had been carrying \$300,000 in cash, given to her by her firm to be turned over to a client, is suspected, because the first victim having been the client and the second victim his wife, it was thought that she had killed them so as to keep the money for herself. But Toler proves that the murders had been committed by Robert Barrat, the Captain, who wanted the money for himself. Just as Toler completes the case, he receives the good news that his grandson had been born.

Charles Belden wrote the original screen play, H. Bruce Humberstone directed it, and John Stone produced it. In the cast are Sen Young, Claire Dodd, George Zucco, and others.

The murders make it unsuitable for children. Class B.

"Zaza" with Claudette Colbert and Herbert Marshall

(Paramount, January 13; time, 84 min.)

The production values are excellent and Miss Claudette Colbert's acting highly artistic, but the story creaks with age. What may have been considered a great emotional drama years ago strikes one today as being silly. The romantic complications, involving a sacrifice on the heroine's part, may appeal to older women, but it is doubtful if young folk will be touched by it. One or two situations touch one's emotions, but this is due mainly to the appealing way in which they are played. Bert Lahr turns from comedy to a straight dramatic part and is quite good at it; as a matter of fact he is the most sympathetic character. Herbert Marshall is at a definite disadvantage, for the character he portrays is unpleasant:—

Miss Colbert, a performer in a French music hall, is groomed by her partner (Lahr) for stardom. But she loses all interest in her career when she meets Marshall, a staid business man, who succumbs to her charms. They become lovers. When she learns that he was married, she is at first enraged and then becomes heartbroken. But she refuses to give him up; instead, she decides to pay him an unexpected visit at his home and, in the presence of his wife, demand that he choose between them. Her plans are changed, however, when she meets his child, an adorable girl, who takes a liking to her. When Marshall's wife arrives, Claudette pretends that she had entered the wrong apartment. Lahr, her only real friend, consoles her and induces her to give up Marshall and continue with her career. She does so, and in time she becomes a famous star, appearing in Paris. Four years later, Marshall calls to see her at the theatre, but she tearfully sends him away.

The plot was adapted from the play by Pierre Berton and Charles Simon; Zoe Akins wrote the screen play, George Cukor directed it, and Albert Lewis produced it. In the cast are Helen Westley, Constance Collier, Genevieve Tobin, Walter Catlett, Rex O'Malley, and others.

Not suitable for children. Class B.

"Newsboys' Home" with Jackie Cooper, Wendy Barrie and Edmund Lowe

(Universal, December 23; time, 72 min.)

A fairly good melodrama. It should go over well with audiences who are not concerned about lack of logic in a plot as long as there is fast and exciting action throughout. They will not be disappointed on that score, for there is plentiful action, which, towards the end, becomes very exciting. In addition to the melodrama, the story offers comedy and a mildly pleasant romance. Jackie Cooper gives his usual good performance, winning one's sympathy:—

Heartbroken at the death of his father, a small-town Sheriff, who had been shot by an escaping gangster, Jackie decides to go to the city in search of the criminal, whom he had seen. Being without funds, he goes to a newsboys' home founded by the publisher of a large newspaper, where he is given food and shelter. He decides to sell papers; in a short time he becomes the leader. When the publisher dies, his daughter (Wendy Barrie) takes over his job. Her stubbornness in refusing to listen to advice from Edmund Lowe, the managing editor with whom she was in love, is disastrous for the paper; its circulation drops and the advertisers withdraw their accounts. The newsboys' home is closed and all the boys, with the exception of Jackie and one other, go over to the rival paper. In a quarrel with Miss Barrie, Lowe resigns. Eventually Miss Barrie sees the error of her ways and begs Lowe to return; things start humming, and in a short time the paper's circulation rises. The rival newspaper publisher (Irving Pichel) engages a gangster to start trouble for Miss Barrie. In a fight that follows one of the newsboys is shot. Jackie recognizes the gangster as the one who had killed his father. He is instrumental in having him and the other gangsters rounded up. The newsboys' home is reopened, much to the joy of the boys, who return to it. Miss Barrie marries Lowe.

Charles Grayson and Gordon Kahn wrote the story, and Gordon Kahn, the screen play; Harold Young directed it, and Ken Goldsmith produced it. In the cast are Edward Norris, Samuel Hinds, Elisha Cook, Jr., and others.

Suitability, Class A.

"On Broadway the show that fails to satisfy the public demand is quickly and decisively hauled to the storeroom. But the early wise men of the industry, foolish in their wisdom, sought and succeeded in contriving a system that serves to perpetuate the picture that has failed in its entertainment purpose. This has proved to be a disastrous accomplishment which in these latter years has brought about increasingly adverse results. . . .

"No matter how intelligently conceived and executed, all pictures undertaken cannot be expected to turn out to be sterling attractions. But under prevailing conditions the good pictures do not obtain the revenue to which they are entitled. The poor ones obtain too much, however little that may be. In addition, the failures serve to break the theatre-going habit, to cause the public to wonder what has happened to pictures as they pass on in search of entertainment elsewhere. . . .

"The argument that unless the indifferent films are distributed and allowed to collect some revenue the better productions would be prohibitive in cost is unconvincing. A production company succeeds or fails on the basis of total revenues collected against the total costs of production. It is immaterial whether a stated volume of revenue is obtained out of twenty-five pictures or out of thirty pictures. If a program of thirty pictures costs \$15,000,000, the producer's situation is better and not worse if he recoups his costs through the distribution of only twenty-five instead of the whole thirty pictures because he has saved the costs of distribution. The automatic rejection at the source of pictures which unquestionably are below acceptable standards would confer a great benefit on the public and on the exhibitor and at the same time would inevitably lead to an enhancement of the reputation of the motion picture. Admittedly, however, such a policy would not serve to monopolize screen time to the exclusion of other product. . . .

"The coming year, for reasons referred to and others, is likely to become a turning point in motion picture industry affairs. The present procedure if kept prosaically intact promises only a postponement of a serious day of reckoning. There are now, and have been for some time, danger signals all along the right of way. The great question which 1939 proposes is whether out of the vast store of accumulated knowledge and experience the industry in its several component parts will determinedly set itself to the task of recapturing that spirit of enterprise and progress out of which its greatness was born. . . ."

BOX-OFFICE PERFORMANCES OF 1938-39 SEASON'S PICTURES—No. 1

In the issue of October 15, 1938, appeared the last of the fifth series of articles giving the box-office performances of the 1937-38 season's pictures. When that issue was published, some of the 1937-38 season's pictures either had not been released or had not played in a sufficient number of theatres to make possible an accurate report of their box-office performances. As a result, they were omitted from those articles.

The present series of articles, although relating to the box-office performances of the 1938-39 season's pictures, will include the check-up also of those of the 1937-38 season's pictures not reported up to the October 15 issue. They will be identified properly as belonging to the 1937-38 season, under the names of the companies releasing them.

Columbia 1937-38

"The Gladiator," with Joe E. Brown and June Travis, produced by David L. Loew and directed by Edward Sedgwick, from a screen play by Arthur Sheekman: Good-Fair.

"Convicted," with Charles Quigley and Rita Hayworth, directed by Leon Barsha, from a screen play by Edgar Edwards: Poor.

"Phantom Gold," with Jack Luden and Beth Marion, directed by Joseph Levering, from a screen play by Nate Gatzert: Fair-Poor.

"I Am the Law," with Edward G. Robinson, Wendy Barrie, and John Beal, produced by Everett Riskin and directed by Alexander Hall, from a screen play by Jo Swerling: Good.

"The Colorado Trail," with Charles Starrett and Iris Meredith, directed by Sam Nelson, from a screen play by Charles S. Royal: Fair-Poor.

"The Lady Objects," with Gloria Stuart, Lanny Ross, and Joan Marsh, produced by William Perlberg and di-

rected by Erle Kenton, from a screen play by Gladys Lehman and Charles Kenyon: Fair-Poor.

"Juvenile Court," with Paul Kelly, Rita Hayworth, and Frankie Darro, directed by D. Ross Lederman, from a screen play by Michael L. Simmons, Robert E. Kent, and Henry Taylor: Fair.

"The Stranger from Arizona," with Buck Jones and Dorothy Fay, produced by Monroe Shaff and directed by Elmer Clifton, from a screen play by Monroe Shaff: Fair-Poor.

"Girls' School," with Anne Shirley, Nan Grey, Ralph Bellamy, and Noah Beery, Jr., produced by Sam Marx and directed by John Brahm, from a screen play by Tess Slesinger and Richard Sherman: Good-Fair.

"Law of the Texan," with Buck Jones and Dorothy Fay, produced by Monroe Shaff and directed by Elmer Clifton, from a screen play by Monroe Shaff and Arthur Hoerl: Fair-Poor.

"California Frontier," with Buck Jones and Carmen Bailey, produced by Monroe Shaff and directed by Elmer Clifton, from a screen play by Monroe Shaff and Arthur Hoerl: Fair-Poor.

Fifty-nine pictures, including Westerns, have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 2; Very Good-Good, 1; Very Good-Poor, 1; Good, 1; Good-Fair, 6; Good-Poor, 4; Fair, 12; Fair-Poor, 28; Poor, 4.

Thirty-eight pictures, excluding Westerns, were released during the 1936-37 season; they were rated as follows:

Excellent, 1; Very Good, 1; Very Good-Good, 1; Good, 4; Good-Fair, 4; Good-Poor, 1; Fair, 5; Fair-Poor, 13; Poor, 8.

1938-39

"You Can't Take It with You," with Lionel Barrymore, Jean Arthur, James Stewart, Spring Byington, and Samuel Hinds, produced and directed by Frank Capra, from the screen play by Robert Riskin: Excellent.

"West of Santa Fe," with Charles Starrett and Iris Meredith, directed by Sam Nelson, from a screen play by Bennett R. Cohen: Fair-Poor.

"Crime Takes a Holiday," with Jack Holt and Marcia Ralston, produced by Larry Darmour and directed by Lewis D. Collins, from a screen play by Henry Altimus, Jefferson Parker, and Charles Logue: Fair.

"Flight to Fame," with Charles Farrell, Jacqueline Wells, and Jason Robards, directed by C. C. Coleman, Jr., from a screen play by Michael L. Simmons: Fair.

"The Little Adventuress," with Edith Fellows, Jacqueline Wells, Richard Fiske, and Cliff Edwards, directed by D. Ross Lederman, from a screen play by Michael L. Simmons: Fair-Poor.

Five pictures have already been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 1; Fair, 2; Fair-Poor, 2.

The first five pictures in the 1937-38 season were rated as follows:

Excellent, 1; Good-Poor, 1; Fair, 1; Fair-Poor, 2.

SOMETHING TO THINK ABOUT

In the Foreword of the book, "High Pressure: What It Is Doing to My Town and My Neighbors," Mr. Jesse Rainsford Jones, the author, says partly the following:

" . . . the time is past when business can be allowed so much freedom without disastrous consequences. In this book I have tried to show what can happen in a typical American community as a result of allowing business an excess of freedom. . . . We Americans don't have the sense of security that we used to have. . . . We can't have the old sense of security until something is done to curb the American practice of high-powered salesmanship."

The United States Government seems to be imbued with the same theory about the motion picture industry. Hence the suit it has brought against the producers—to curb the excess freedom they have so far had in using high-powered salesmanship tactics against the weak.

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SATURDAY, JANUARY 21, 1939

No. 3

NATIONAL SCREEN SERVICE DOING GREAT PATRIOTIC WORK

Inspired by a speech on tolerance and patriotism made by Mr. Karl Hoblitzelle at the dinner which he and Mr. Bob O'Donnell, his associate, gave to Mr. Ned Depinet, in Dallas, early last year, Mr. Herman Robbins, of National Screen Service, suggested to Messrs. Hoblitzelle and O'Donnell, that the beautiful sentiments expressed by Mr. Hoblitzelle in that speech be translated into a trailer, to be shown at the theatres of their circuit, Interstate Circuit of Texas.

Messrs. Hoblitzelle and O'Donnell liked the idea and a trailer was decided upon to be based on the National Anthem, "The Star Spangled Banner."

The showing of that trailer in the theatres of the circuit proved so successful that Mr. Robbins felt that this and two other trailers, entitled "Constitution" and "The Bill of Rights," be produced and sold outright to any exhibitor who wanted them, at cost.

National Screen Service has now ready for sale trailers of "The Star Spangled Banner." Its length is 118 feet, 36 feet being in technicolor.

The charge for this trailer is \$3.54. This cost does not include studio recording, art work, text research, film editing and distribution; it covers only the cost of the raw stock and of printing.

In view of the fact that the trailers become your property upon purchase, I suggest that you buy all three. There are many occasions on which you could show them to good advantage. "Star Spangled Banner," which is the only one ready just now, is not only inspiring, but also highly artistic. And I am sure that the other two will be as artistic as well as inspiring; they will be ready for delivery shortly.

HARRISON'S REPORTS takes great pleasure in commending National Screen Service for its forethought.

THE TRUTHS MR. QUIGLEY SAID IN HIS DECEMBER 16 EDITORIAL

What Mr. Quigley actually said in his December 16 editorial, the salient parts of which were reproduced in last week's issue of this publication, is this:

(1) The motion picture industry will "face a variety of thoroughgoing changes this year."

(2) Despite the studied indifference of the producers, the Government suit will have a great influence upon the method of doing business in the industry.

(3) New "blood" in the production end of the industry is not admitted so easily now; the penetration of the wall the present heads there have built around production so as to keep themselves in and the "outsiders out" depends, not on ability, but on good fortune and "right connections."

(4) Explanations of why a theatre shows a bad picture give little satisfaction to those who pay their money to the box offices to be entertained.

(5) The producers, although they have all the advantages of obtaining the best pictures available, are not successful theatre operators.

(6) Theatre operation by producer employees has become a humdrum and routine procedure—just like that of railroads. Their main thought is how to save money in the operation of the theatres, not how to get more money. In

line with this thought, they are doing as little advertising as they can, whereas advertising should be done with a "vengeance." Such a step might spoil the pleasure of those who prepare tabulations of expense curtailment but it will bring in dollars.

(7) Radio is not an ally of the motion picture but a competitor of formidable proportions.

(8) If a stage show on Broadway fails to make good, it is "hailed to the storehouse," and there pickled; whereas the moving picture producers have succeeded in contriving a system whereby "failures" are "perpetuated." This system has made and is making the industry "pay."

(9) Under the present system, good pictures do not bring in the money they can bring, and the poor pictures, by being kept on the board, are given a chance they are not entitled to be given. This has dissatisfied the public and has caused it to look for good entertainment elsewhere.

(10) The argument that unless the poor pictures are given a chance to bring in some revenue the industry will go bankrupt is not convincing. What is the difference whether the income is derived from twenty-five pictures or from thirty, as long as the full income is derived? It should be more profitable if it were derived from twenty-five, because it would save the distribution cost of the five pictures that are not worth showing. "The automatic rejection" of poor pictures "at the source . . . would confer a great benefit on the public and on the exhibitor," and would add prestige to motion pictures. But such a policy would not perhaps be acceptable to the present holders of the "monopoly," because it would give a chance to the meritorious pictures of others.

(11) If the producers should insist upon continuing the present system, they merely delay the day of reckoning, but they will not be able to prevent its arrival. "There are now, and have been for some time, danger signals all along the right of way." The only question is whether the producers will be wise enough to see it or not.

Wise statements, I'll say!

20th CENTURY-FOX TO DISTRIBUTE GAUMONT-BRITISH PICTURES

On December 12, Twentieth Century-Fox took over the sales of Gaumont-British pictures.

The exhibitors of the United States know, I am sure, that Twentieth Century-Fox has a substantial interest in the Gaumont-British company of Great Britain. By taking over the sales of this company's pictures, Twentieth Century-Fox merely accommodates a partner.

Some exhibitors have expressed the fear that the Twentieth Century-Fox salesmen may attempt to compel an exhibitor to buy these pictures in addition to the pictures of their own company, but HARRISON'S REPORTS doubts whether these fears are justified; Sidney Kent is too smart to permit them to resort to such a practice.

But in view of the fact that Mr. Kent cannot be present during the negotiations of exhibitors with salesmen to prevent the salesmen from possibly employing high-pressure sales methods, HARRISON'S REPORTS suggests to the Allied members of the negotiating committee, in the event that the negotiations were resumed, to insist that in the final agreement there be included a provision dealing with foreign pictures.

"The Great Man Votes" with John Barrymore, Virginia Weidler and Peter Holden

(RKO, Jan. 13; time, 71 min.)

An excellent and, in some ways, unusual picture. For one thing, the story is completely off the beaten path; and yet, it has the ingredients for mass appeal in that it has deep human interest, unusual comedy, and exceptionally good performances. The direction, too, is outstanding; it seems as if RKO has uncovered a director of great talent in Garson Kanin, for he has showed ability also in another picture—"A Man To Remember." "The Great Man Votes" is the type of picture that has something in it for all types of audiences for, in addition to its human quality, the story development is intelligent, and the dialogue brilliant. Several situations touch one's heartstrings. The closing scenes, in which John Barrymore makes a speech, are the most touching. The romantic interest is minimized:—

To his children (Virginia Weidler and Peter Holden), John Barrymore was the most marvelous person in the world. They felt sure that, had their mother lived, he, a Harvard graduate, would have been a great man and not a night watchman; but her death had broken his spirit and he had taken to drink. Since he had small regard for the public school system his children were compelled to attend, he instructs them on his own. Both children were so remarkably intelligent, that they surprised their new teacher (Katherine Alexander) by their knowledge. She pays a visit to Barrymore and is unhappy to find so brilliant a man doing menial work. When it is discovered that Barrymore was the only voter in a certain district, Donald MacBride, ward boss, pays him a visit to try to induce him to vote for his man, candidate for Mayor. But Barrymore, who had been enraged when MacBride had caused him to lose his job because little Virginia had given MacBride's son a black eye, makes demands. Urged on by his children, he asks for the important position of School Commissioner in return for his vote; MacBride promises it. In the meantime, his wife's relatives try to take the children away from Barrymore. But when he rides victorious to the polls, at the head of a parade, with a written promise from the Mayor assuring him of the position, the relatives give up their demands. Barrymore is indeed a happy man, for he had proved to his children that he was a great man. Miss Alexander shares his joy.

Gordon M. Hillman wrote the story, and John Twist, the screen play; Cliff Reid produced it. In the cast are Bennie Bartlett, Elizabeth Risdon, and others.

Suitability, Class A.

"Arizona Legion" with George O'Brien

(RKO, Jan. 20; time, 58 min.)

This is George O'Brien's best western to date. His fans are in for a treat, for the story gives him many opportunities to exhibit his skill as a horseback rider and a fighter. Despite a routine plot, one's attention is held throughout, for the action is fast and the situations exciting. The photography is very good, particularly in the outdoor scenes. Romance and comedy are interpolated without interfering with the action:—

George O'Brien, a former ranch owner who had sold his cattle and was squandering his money on drink and gambling, becomes friendly with a gang of outlaws. His fiancée (Laraine Johnson), heartbroken, breaks their engagement. Unknown to everyone but to Miss Johnson's father, a Judge, O'Brien had been given official permission by the governor to organize a squad to be known as "Arizona Rangers," which he was to head in an effort to stop the lawlessness in the town. O'Brien, still pretending to be one of the outlaws, helps them hold up a stagecoach that carried federal funds. He and his pal are caught, along with two of the outlaws, and thrown into jail. Through them he learns the name of the leader. In an interview with his former pal (Tim Holt), an Army lieutenant, O'Brien tells him the facts, but Holt refuses to believe he was an officer. Holt unwittingly turns the information over to the leader, who was none other than the town Commissioner. O'Brien and his pal, however, manage to escape and, with the help of their Rangers and the subsequent arrival of the Army men, are able to overpower the gang, recover the money they had stolen, and establish law and order. Miss Johnson is happy to take back her engagement ring.

Bernard McConville wrote the story, and Oliver Drake, the screen play; David Howard directed it, and Bert Gilroy produced it. In the cast are Carlyle Moore, Chill Wills, Tom Chatterton, and others.

Since the bravery of the hero is stressed, it is suitable for children. Suitability, Class A.

"Disbarred" with Gail Patrick, Otto Kruger and Robert Preston

(Paramount, Jan. 20; time, 59 min.)

Fair program entertainment. In spite of the fact that the plot is far-fetched, it should please those who enjoy racketeer melodramas, for what it lacks in plausibility is made up for in fast action. One's attention is held pretty well, particularly in the second half, when the heroine unwittingly becomes involved with the racketeers. The love interest is minimized:—

When Otto Kruger, a criminal lawyer, is disbarred because of crooked work in legal cases where he represented Sidney Toler, a racketeer, he decides to leave town. The plane taking him out West makes a forced landing. In order to while away the time, he goes to the courthouse, where he listens to Gail Patrick, a young lawyer, try a case; she so impresses him that he decides to use her in his work. Leading her to believe that he was a real estate operator, with good connections, he offers to obtain a position for her with a lawyer whom he supposedly knew, but really his henchman. She gratefully accepts. Following Kruger's orders, the henchman gives Miss Patrick all the criminal cases to try. Coached by her employer, who in turn had been coached by Kruger, she wins all her cases by tricks, much to the annoyance of the District Attorney and of his assistant (Robert Preston). Miss Patrick dislikes the work given to her, and leaves; she joins the District Attorney's staff. Toler is murdered, and the clues lead to her former employer. She obtains from his office important information; she is shocked to learn who Kruger really was. With her help, the gang is rounded up. Preston confesses his love for her, and she accepts his marriage proposal.

Harry Sauber wrote the story, and Lillie Hayward and Robert R. Presnell, the screen play; Robert Florey directed it. In the cast are Helen MacKellar, Clay Clement, Eddie Marr, Charles Brown, and Frank M. Thomas.

Not suitable for children. Class B.

"Ambush" with Gladys Swarthout and Lloyd Nolan

(Paramount, Jan. 20; time, 61½ min.)

Here is a novelty—a picture starring an opera singer who does not sing one song. "Ambush" is a fast-moving program gangster melodrama; it holds the spectator in tense suspense. The story is somewhat demoralizing, for it shows the methods employed by the gangsters in carrying out their nefarious schemes, as well as how powerful they are with guns in their hands. Although it is not entertainment for children, adults who go in for melodramas of this type will enjoy it, for the action is thrilling, the story interesting, and the plot logical. One is in sympathy with the hero and the heroine, who are forced to do the bidding of the gangsters:—

Knowing that her brother (William Henry) had supplied the gas used by three criminals in holding up the bank in which she worked, Gladys Swarthout rushes to him; she pleads with him to go to the police, but he refuses. The gangsters hold them both prisoners. Ernest Truex, the leader, threatens to kill Henry unless Miss Swarthout co-operated with them; he orders her to get them a truck in which to make their getaway. She strikes up a friendship with Lloyd Nolan, who drove his own truck, and lures him to the hideout. There Truex gives Nolan his orders, threatening him with death unless he obeyed. Nolan soon realizes that Miss Swarthout was innocent. All roads were being patrolled by police, but, since they knew Nolan, who frequently drove his truck there, they let him pass without examining the contents of his truck. In a clever way, Nolan manages to get information to the police without Truex's suspecting anything. When they reach a certain spot, they abandon the truck and continue by plane. Nolan induces them to spare his life, in return for which he offers to take them to his hut in the mountains. When they arrive there, Henry, feeling that he was ruining his sister's life, goes to his death, taking with him one of the gangsters. Another gangster dies. Truex, left alone, warns Nolan not to try anything. The police finally locate the hideout and arrive just in time to save Nolan and Miss Swarthout, whom Truex was planning to kill. With the money returned and their names cleared, Nolan and Miss Swarthout plan to marry.

Robert Ray wrote the story, and Laura and S. J. Perelman, the screen play; Kurt Neumann directed it, and William Wright produced it. In the cast are Broderick Crawford, Rufe Davis, William Frawley, and others.

Not for children. Adult fare. Class B.

"Jesse James" with Tyrone Power, Henry Fonda, Randolph Scott and Nancy Kelly

(20th Century-Fox, Jan. 27; time, 105 min.)

This is very good mass entertainment. Technicolor photography has never been employed to better advantage. Some of the outdoor scenes are like paintings; they are certain to bring gasps of delight from the audience. But the biggest drawing card is the title itself, for the fame of "Jesse James" is known to most people in this country; and with such popular players in the cast, there is no doubt that it will do smash business. It has, however, its defects. For one thing, Tyrone Power is hardly the type to portray a bold bandit; as a matter of fact, he comes out third best, for both Henry Fonda and Randolph Scott act more convincingly. Secondly, there are spots in which the action drags considerably. And, thirdly, the hero is not a sympathetic character, despite the efforts of the producers to justify his criminal activities. But the action is at times thrilling, at other times laugh-provoking, and for the most part interesting:—

Embittered by the ruthless methods employed by the railroad company in usurping their farm land, thereby causing the death of their mother, Jesse James (Power) and Frank James (Fonda) become outlaws, centering most of their activities against the railroad company. In time, however, they branch out to robbing also banks. A big reward is offered by the railroad company for Jesse's capture. Despite the risk, Jesse visits Zerelda (Nancy Kelly), with whom he was in love. There he meets Will Wright (Scott), a federal marshal, who, too, loved Zerelda; Wright knows who Jesse was but lets him go free. In an effort to help the young couple, Wright obtains a written promise from the railroad president that, if Jesse would surrender, he would be given a six-month sentence and then released. Zerelda and Jesse marry, after which Jesse gives himself up. But it turns out that the president really intended to have Jesse hanged. The double-cross disgusts Scott. Frank, in company with his bandits, carries out his threat to free Jesse. Jesse and Zerelda live in hiding. This makes her miserable. Scott and her uncle (Henry Hull) are with her when she gives birth to her son; she goes back home with her uncle. Jesse decides not to follow her; instead, he continues his outlaw career. After five years, he and his wife are reconciled, and plan to go to California, there to start life anew. On the day they were to leave, Jesse is killed by one of his own men for the reward.

Nunnally Johnson wrote the original screen play and produced it. Henry King directed it. In the cast are Slim Summerville, J. Edward Bromberg, John Carradine, Jane Darwell, and others.

Since the hero is a bandit, exhibitors will have to use their own judgment about showing it to children. Suitability, Class B.

"King of the Underworld" with Kay Francis and Humphrey Bogart

(Warner Bros., Jan. 28; time, 68 min.)

A fairly good program gangster melodrama; the action is fast and exciting. The story is similar to that of "Dr. Socrates," produced by Warner in 1935, for the main idea—that of a doctor subduing a gang of murderous criminals by frightening them into permitting him to give them an injection that doped them, is used here, except that in this case the doctor puts drops in their eyes, which blind them temporarily. It is more effectively done than in "Dr. Socrates," for the gangster leader, although unable to see, walks around with a gun in his hand, intent on killing the doctor; this holds the spectator in tense suspense. For another thing, the leading character (Miss Francis) is more sympathetic, for she does not willingly help the gangsters. The romance is pleasant:—

Kay Francis and her husband (John Eldridge), both surgeons, complete a successful operation on a gangster who had been shot. When Humphrey Bogart, gangster leader, hears of it, he visits Eldridge and insists on giving him \$500 for his work. Eldridge tells Miss Francis he had won the money betting on horses; he suggests that they move to more fashionable quarters. Unknown to Miss Francis, Eldridge continues his association with the gangsters. Eventually the police raid Bogart's hideout; Eldridge is killed during the shooting, but Bogart and his men escape. Miss Francis is arrested as her husband's accomplice. At her trial, the jury disagrees and she is released. The Medical Association gives her three months in which to prove her innocence. Hearing that two of Bogart's henchmen were held in a small town jail, she leaves for that place, and there she opens an office. Bogart and his henchmen

arrive at the jail and shoot their way through to release the prisoners. James Stephenson, a penniless author who had accepted a lift from Bogart, is shot; so is Bogart. Stephenson is caught trying to escape and is arrested as one of the gangsters; but he proves his innocence. He and Miss Francis become good friends. Miss Francis' aunt insists that he stay with them for a while. Bogart calls on Miss Francis; she takes care of him. Wanting to have the story of his life written, Bogart has his men kidnap Stephenson; his intention was to kill him when the book was finished. Miss Francis outwits the gang, leading them into the hands of the federal officers. Bogart is killed. Her name cleared, she marries Stephenson.

W. R. Burnett wrote the story, and George Bricker and Vincent Sherman, the screen play; Lewis Seiler directed it, and Bryan Foy produced it.

Not suitable for children. Class B.

"Pirates of the Skies" with Kent Taylor, Rochelle Hudson and Regis Toomey

(Universal, Feb. 3; time, 61 min.)

A fair program melodrama, revolving around the activities of the air police patrol. Although the story is familiar, it holds one in fair suspense, because of the exciting action during the encounters between the police and the criminals. Since the audience knows from the very beginning who the criminals are, the interest lies in the methods employed by the police in solving the case. Occasionally the action is slowed up because of too much dialogue and of the interjection of comedy that is not particularly effective:—

Kent Taylor, a happy-go-lucky aviator, who could not hold down a job, joins the air police force in which his pal (Regis Toomey) was an officer. Rochelle Hudson, Kent's wife, who had left him because of his inability to take a job seriously, expresses doubt as to Kent's ability for such work. The police are unable to obtain clues as to the identity of a gang of racketeers, who had been terrorizing the district by their bold holdups. Kent, who had been ordered to fly to a summer camp, there to pick up the Governor and take him to the Capitol Building, notices, while in flight, a car stopping at a landing field. Two men emerge from the car and rush to a waiting plane. Realizing that they must be the mysterious criminals, he starts pursuing them; but they get away from him. Because of engine trouble, Kent is forced to land at the pigeon farm owned by Lucien Littlefield, who was really the head of the gang. Littlefield helps him out, after which Kent returns to headquarters; but he is forced to resign because of acting against orders. He follows the case up himself, and eventually proves that he was correct in his deductions. The gangsters are trapped by the police. Kent's reinstatement brings happiness to Miss Hudson, who becomes reconciled with him.

Ben G. Kohn wrote the screen play, Joe McDonough directed it, and Barney Sarecky produced it. In the cast are Dorothy Arnold, Marion Martin, and others.

The activities of the criminals make it unsuitable for children. Class B.

"Fighting Thoroughbreds" with Ralph Byrd, Mary Carlisle and Robert Allen

(Republic, January 6; time, 65 min.)

A pretty good racetrack program melodrama. Although not very different in story content from other pictures of this type, it should please an average audience, for the action is pretty fast and fairly interesting. One is in sympathy with the heroine (Mary Carlisle) and her grandfather (George Hayes), who, because of financial difficulties, had lost their home and their horses. The spectator is, therefore, pleased when they come into possession of a colt whose sire had been a race horse, for it meant that they could recoup their fortunes if the colt should turn out to be a racer. One's attention is held until the end, when the big race is run; during this situation one is held in suspense for the heroine's chances of winning are endangered by gamblers, who had kidnapped her grandfather in order to force her to hold her horse back, for they were betting on another horse. But her horse wins, and her grandfather is rescued by the hero (Ralph Byrd), a physician who had brought the colt into the world and had helped her train it, and by Robert Allen, a wealthy man, who was in love with her. But she gives her love to Byrd.

Clarence E. Marks and Robert Wyler wrote the story, and Wellyn Totman, the screen play; Sidney Salkow directed it, and Armand Schaefer produced it. In the cast are Charles Wilson, Marvin Stephens, and others.

Suitability, Class A.

PARAMOUNT TAKES STEP TO DIVORCE THEATRES FROM PRODUCTION

In the financial section of the January 6 issue of the New York *Herald-Tribune*, there was a news item to the effect that Paramount has taken the first steps to divest itself of its theatre holdings.

The *Tribune* article says that Paramount contemplates forming two new companies, one for the taking over of production, and the other of the theatres. One share from each new company will be given for one share of the present stock.

"This action," says the *Herald-Tribune*, "is believed to be the first of similar moves by other motion picture companies, which also own exhibiting facilities, as a result of the anti-trust action taken against the industry by the Department of Justice.

"Just when Paramount will take this action is not known, but it was reported that the changes would be made within the next two months. The annual meeting of the company is scheduled for the third Thursday in June, and it is likely that a special meeting of the stockholders to approve the action will be called. . . ."

It is evident that Paramount, seeing the handwriting on the wall as a result of the Government's suit, is trying to devise all kinds of schemes to preserve its theatre circuit. But HARRISON'S REPORTS doubts whether it will be allowed by the Department of Justice to employ subterfuges, for creating two companies so that each may take over one of the two functions of the present company so as to retain control over the theatres is nothing but a subterfuge.

If I understand correctly the intention of the Government, as expressed in the suit, the Department of Justice is seeking to compel the theatre-owning producers to divest themselves of their theatre holdings entirely. The Government feels that ownership of theatres by producer-distributors is contrary to public policy and it is unlikely that it will permit either Paramount or any other theatre-owning producer to retain over their theatres even an indirect interest.

Isn't it about time that the producers stopped "kidding" themselves? Certainly they cannot fool the Government.

IS PARAMOUNT NOW TO MAKE DELIVERY OF "CHEATERS" A REGULAR PRACTICE?

"The Beachcomber," the British-made picture with Charles Laughton, which Paramount has announced for release, is not a Paramount-made picture.

"Little Orphan Annie," which this company has already released, is not a Paramount-made picture.

"One-third of a Nation," now in the cutting room, which will be released by Paramount, is not a Paramount-made picture.

Since the last mentioned picture has not yet been shown, I don't know whether it is a good or bad picture, but the other two—"The Beachcomber" and "Little Orphan Annie," have been shown and they are decidedly poor.

According to the December 21 issue of *Variety*, Paramount intends to release at least five outside pictures this season.

No exhibitor would, I am sure, object if Paramount should take over meritorious pictures, but when it takes over pictures such as "Little Orphan Annie" and "The Beachcomber," it is different.

BOX-OFFICE PERFORMANCES OF 1938-39 SEASON'S PICTURES—No. 2

Metro-Goldwyn-Mayer 1937-38

"Rich Man Poor Girl," with Robert Young, Lew Ayres, and Ruth Hussey, produced by Edward Chodorov and directed by Reinhold Schunzel, from a screen play by Joseph A. Fields and Jerome Chodorov: Good-Fair.

"Blockheads," with Stan Laurel and Oliver Hardy, produced by Hal Roach, Jr., and directed by John G. Blystone,

from a screen play by Charles Rogers, Felix Adler, James Parrott, Harry Langdon and Arnold Belgard: Fair.

"Marie Antoinette," with Norma Shearer, Tyrone Power, John Barrymore, and Robert Morley, produced by Hunt Stromberg and directed by W. S. Van Dyke II, from a screen play by Claudine West, Donald Ogden Stewart and Ernest Vajda: Very Good-Good.

Forty-five pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 1; Excellent-Very Good, 1; Excellent-Good, 3; Very Good-Good, 10; Very Good-Fair, 3; Very Good-Poor, 1; Good, 8; Good-Fair, 13; Good-Poor, 2; Fair, 2; Fair-Poor, 1.

Forty-four pictures were released in the 1936-37 season. They were rated as follows:

Excellent, 3; Excellent-Very Good, 3; Very Good, 2; Very Good-Good, 3; Good, 3; Good-Fair, 6; Good-Poor, 1; Fair, 13; Fair-Poor, 6; Poor, 4.

1938-39

"Three Loves Has Nancy," with Janet Gaynor, Robert Montgomery, and Franchot Tone, produced by Norman Krasna and directed by Richard Thorpe, from a screen play by Bell and Samuel Spewack, George Oppenheimer, and David Hertz: Good.

"Boys Town," with Spencer Tracy, Mickey Rooney, and Henry Hull, produced by John W. Considine, Jr., and directed by Norman Taurog, from a screen play by John Meehan and Dore Schary: Excellent-Very Good.

"Too Hot to Handle," with Clark Gable, Myrna Loy, and Walter Pidgeon, produced by Lawrence Weingarten and directed by Jack Conway, from a screen play by Laurence Stallings and John Lee Mahin: Excellent-Very Good.

"Vacation from Love," with Denis O'Keefe, Florence Rice, and Reginald Owen, produced by Orville O. Dull and directed by George Fitzmaurice, from a screen play by Harlan Ware and Patterson McNutt: Good-Fair.

"Stablemates," with Mickey Rooney and Wallace Beery, produced by Harry Rapf and directed by Sam Wood, from a screen play by Leonard Praskins and Richard Maibaum: Very Good-Good.

"Young Dr. Kildare," with Lew Ayres, Lionel Barrymore, and Lynne Carver, directed by Harold S. Bucquet, from a screen play by Willis Goldbeck and Harry Ruskin: Good-Fair.

"Listen Darling," with Judy Garland, Freddie Bartholomew, Mary Astor, and Walter Pidgeon, produced by Jack Cummings and directed by Edwin L. Marin, from a screen play by Elaine Ryan and Anne M. Chapin: Good-Fair.

"The Citadel," with Robert Donat and Rosalind Russell, produced by Victor Saville and directed by King Vidor, from a screen play by Ian Dalrymple, Frank Wead, and Elizabeth Hill: Good-Fair.

"The Great Waltz," with Luise Rainer, Fernand Gravet, and Miliza Korjus, directed by Julian Duvivier, from the screen play by Samuel Hoffenstein and Walter Reisch: Very Good-Fair.

"Spring Madness," with Maureen O'Sullivan, Lew Ayres, and Burgess Meredith, produced by Edward Chodorov and directed by S. Sylvan Simon, from a screen play by Edward Chodorov: Good-Fair.

"The Shining Hour," with Joan Crawford, Margaret Sullavan, Melvyn Douglas, and Robert Young, produced by Joseph L. Mankiewicz, and directed by Frank Borzage, from a screen play by Jane Murfin and Ogden Nash: Very Good-Good.

Eleven pictures have already been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 2; Very Good-Good, 2; Very Good-Fair, 1; Good, 1; Good-Fair, 5.

The first eleven pictures in the 1937-38 season were rated as follows:

Very Good, 1; Good-Fair, 1; Fair, 6; Fair-Poor, 2; Poor, 1.

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No. 4

ALLIED NEITHER ACCEPTS NOR REJECTS DISTRIBUTOR TRADE REFORM DRAFT

At the first meeting of the Allied board of directors last week at the Carlton Hotel, in Washington, D. C., the Allied negotiating committee reported that it had received from the distributors on January 14 a revised trade reform draft, that this draft was not different materially from the draft it had received on December 1, and that the proposals contained in it were not much different from the oral proposals it had received from them as outlined at the meeting in Chicago on November 3. The only points of difference, the report said, were minor clarifications of language.

The chairman reported also that, along with the new draft, it had received a "wholly tentative outline of an arbitration set-up, not complete as to either principles or details"; that the distributors requested counsel for Allied to sit in with their counsel so as to aid in the drafting of a suitable declaration of principles, as well as in the working out of the arbitration rules and of other details, in addition to suggesting the clarification of the language of whatever of the proposals are obscure.

The chairman informed the board that the new draft contains the maximum distributor concessions.

The negotiating committee informed the board that the proposals do not, in its opinion, meet with the requirements of the Chicago resolution calling for a complete plan including the details of arbitration. For this reason it could not recommend either its acceptance or its rejection, but it requested for authorization to continue its negotiations up to March 1, either directly or through the Allied counsel, to ascertain whether a satisfactory arbitration plan could or could not be evolved, and whether the language of the provisions of the draft could or could not be clarified satisfactorily, so as to enable the committee to determine whether it should recommend the acceptance or the rejection of the proposals.

The committee recommended further that, in order that misunderstandings be prevented, the Allied board reaffirm the position Allied had taken in Chicago—that nothing that may be submitted by the distributors in any plan shall "hamper or preclude Allied from seeking a larger measure of relief through prosecution of its program of legislation and litigation and that such program be pursued unceasingly and with vigor."

At the Tuesday afternoon session, the Allied board passed the following resolution:

"RESOLVED:—

"1. That the Board of Directors of Allied States Association of Motion Picture Exhibitors accepts and approves the unanimous report of the Negotiating Committee.

"2. That the distributors' draft of proposed trade reforms dated December 1, as revised January 14, is not sufficiently definite or complete to enable the Board advisedly to take final acceptance or rejection.

"3. That the Negotiating Committee is authorized to continue its efforts to secure a draft for the consideration of the Board which will meet the Board's requirement, set forth in its resolution dated November 3, that it must have a complete and definite plan, including the details of arbitration, before it can act.

"4. That any further report the Committee may have to make shall be submitted to the Board not later than March 1, 1939.

"5. After thorough study of the proposals submitted, and presupposing that a legal and workable wording of such proposals may be evolved, the Board feels that such proposals fall far short of curing the industry evils of which Allied and the independent exhibitors have complained for years; and the Board, therefore, reiterates the stand taken

in its former resolution that nothing in any plan which may be reported shall in any way hinder or preclude Allied States Association from seeking a larger measure of relief than that offered by the distributors by legislation, litigation, or otherwise; and, further that the Allied campaign of legislation and litigation be prosecuted unceasingly and with vigor."

At the Wednesday session Col. H. A. Cole was elected president, Mr. Abram F. Myers was reelected general counsel, Mr. Herman Blum treasurer, Mr. Charles Olive was elected secretary, and Mr. P. J. Wood recording secretary.

The following were elected as executive committeemen: W. A. Steffes, Sidney Samuelson, Martin G. Smith, Abram F. Myers, Col. H. A. Cole, and Nathan Yamins.

Minneapolis was chosen as the place of the next national convention, the date to be determined by the board of directors.

YOU ARE RIGHT, MR. DUDLEY NICHOLS! RIGHT, MR. HOWARD BARNES!

According to Mr. Howard Barnes, motion picture critic of the New York *Herald Tribune*, Mr. Dudley Nichols, the famous Hollywood script writer, while acting as master of ceremonies for the New York Film Critics' awards the first week in January, said a few unpleasant things about picture making in Hollywood.

"The Cinema," said Mr. Nichols, "desperately needs strong, fearless criticism. One of the weaknesses of Hollywood, which is filled with talented, intelligent people, is that it has no power of self-criticism. Every third production is colossal in the public prints. You have to wait for the New York release before you can gauge the actual worth of a film. As a result, when business falls off Hollywood is confused.

"According to the local press, they have been making masterpieces, but the public stays away. . . ."

Evidently Mr. Nichols has not been reading HARRISON'S REPORTS; otherwise he would not have said that motion pictures need "strong, fearless criticism." That is what HARRISON'S REPORTS has been giving weekly ever since it was founded twenty years ago—strong, fearless criticism.

Incidentally, Mr. Barnes, in commenting upon some of the pictures as a result of Mr. Nichols' criticism, said the following:

"If you are inclined to doubt Mr. Nichols' contention that as far as picture writing is concerned, 'the pasture is dry,' you can easily be convinced by attending some of Hollywood's offerings since the start of a New Year. Several of them boast more than ordinary amount of technical craftsmanship, but none of them impinge even remotely on reality. Antique themes, stock situations and dusty dramatic devices have been passed off for significant story material. No amount of expert renovating would have succeeded in making most of it acceptable as first-class screen entertainment.

"Trade Winds' . . . is a perfect case in point. Tay Garnett, who directed the detective melodrama, decided to have authentic settings for the action as it shuttled back and forth across the Pacific from San Francisco to Singapore, so he went out and photographed them himself. They are colorful and intriguing. The only trouble is that he failed to arrange for a significant narrative to go with them. The fable of a sleuth chasing a suspected murderess half way around the world, only to fall in love with her and clear her fair name, is so rusty that even the good dialogue of Alan Campbell and Dorothy Parker hasn't been able to brighten it appreciably. . . .

(Continued on last page)

**"Son of Frankenstein" with Boris Karloff,
Basil Rathbone, Bela Lugosi, Lionel Atwill
and Josephine Hutchinson**

(Universal, January 13; time, 98 min.)

Very good. Universal has a worthy successor in this to the first "Frankenstein" picture, for, though less horrific, it is as exciting as the other. The production, acting, and direction are of a superior quality. As in the first picture, there are situations that hold one in tense suspense, sending chills down one's spine, and others that tend to touch one's emotions. The eeriness of the settings, both indoor and outdoor, adds considerably to the excitement:—

Basil Rathbone, son of the scientist who had created the monster, arrives at the town of Frankenstein, there to live with his wife (Josephine Hutchinson), child (Donnie Dunagan), and servants in the castle he had inherited from his father. Being a scientist like his father, Rathbone is thrilled when he reads his father's notes on his creation of the monster. The townsfolk refuse to have anything to do with Rathbone, whose father had brought them so much misery and unhappiness; but he disregards them, refusing to listen to the warnings of Lionel Atwill, the police inspector, who had cautioned him against trying anything in his father's field. Rathbone is thrilled when he learns, through Bela Lugosi, a deformed, murderous looter of graves, that the monster still lived, although he was too ill to move. Rathbone brings the monster back to life; the fact that it commits murders, again terrorizing the neighborhood, does not stop him from his work. In a quarrel with Lugosi, Rathbone is forced to kill him in self defense. The monster is grief-stricken, for Lugosi had been the only person who had had control over him. In his grief, he goes after Rathbone's child; it is then that Rathbone awakens to the wrong he had done. Together with Atwill he rushes to save his child; Atwill grabs the child and Rathbone disposes of the monster by pushing it into a boiling natural sulphur pool. Rathbone turns over the castle to the town, to do with as they pleased; he and his family leave the country.

Willis Cooper wrote the screen play, and Rowland V. Lee produced and directed it. In the cast are Emma Dunn, Edgar Norton, Lawrence Grant, and others.

It may frighten children. Suitable mostly for adults. Class B.

"Boy Slaves" with Anne Shirley

(RKO, February 10; time, 71 min.)

A grim, depressing melodrama, with a sordid background. Aside from good performances, there is not much in it to recommend; it is hardly the type of entertainment that motion-picture goesers want to see today, for it is cheerless. The comic relief, which is a take-off on the antics of the original "Dead End" boys, is too familiar to provoke laughter. There is no romance. As a matter of fact, it seems as if the part played by Anne Shirley was written in as an afterthought—so as to have one well-known name to bolster up the weak cast:—

A group of young boys, living as hoboes, are arrested for petty thievery. They are bailed out by a supposedly civic-minded citizen, who offers to give them employment at his turpentine plant in the woods. The boys, with the exception of their leader, willingly take the jobs. But once they get to the plant they realize they had been tricked, for what they had been brought into was peonage—they were forced to sleep in quarters surrounded by barbed wire, eat the poor food for which they were charged exorbitant prices, and work long hours; they received no salary, for they were constantly in the debt of the company for things they had bought from them. Anne Shirley, a young servant working for the owner, in an effort to protect herself from the undesired attentions of Alan Baxter, the foreman, goes to the boys' hut and pleads for protection. Baxter enters and there follows a quarrel, during which one of the boys is shot. Baxter knocks over an oil lamp and a fire breaks out. The boys, together with Miss Shirley, escape. But eventually they are caught and brought to trial. The judge feels pity for them and sends them to a state farm, there to learn a trade. He then enters federal charges against the owner on the grounds of peonage.

Albert Bein wrote the story, and he and Ben Orkow, the screen play; P. J. Wolfson directed and produced it. In the cast are Roger Daniel, James McCallion, Johnny Fitzgerald, Walter Ward, and others.

It is hardly suitable for children. Class B.

**"Wings of the Navy" with George Brent,
John Payne and Olivia deHavilland**

(Warner Bros., February 11; time, 88½ min.)

Excellent from a mechanical and technical standpoint; it is a fine tribute to the United States Naval Flying service and to its system of training young men for the service. But as entertainment, its appeal will be directed mainly to those who are interested in aviation, for, aside from the thrilling air work, which is enhanced by excellent photography, the story leaves one cold, since it deals for the most part with the method of training and the technical side of aviation. The personal drama involving two brothers and a young girl in a triangle love affair is so familiar that it fails to impress or to touch one's emotions. The two most thrilling scenes are those which show a test pilot and later the hero making a test flight of a new machine. The one involving the hero is done so dramatically that spectators will be limp by the time the hero's plane touches the ground. Frank McHugh, as a student aviation enthusiast, contributes some good comedy. Most of the action takes place at the Pensacola and San Diego naval air stations:—

George Brent, a naval aviation officer, is angry when his young brother (John Payne) leaves submarine service for aviation. But once Payne shows his ability as an aviator, Brent is proud of him. Payne falls in love with Miss deHavilland, his brother's fiancée; she, too, loves him. But when Brent meets with an accident which grounds him, both Payne and Miss deHavilland realize that they must forget their own feelings so as not to hurt Brent. Miss deHavilland knows that the only thing that could make Brent happy again would be the successful testing of a new type plane he had designed. After one pilot is killed while testing it, Payne decides to take it up himself; he does this against the wishes of Brent, who feared for his safety. But Payne, after a thrilling test, brings the plane down safely. Brent is overjoyed. Eventually he senses the love of his fiancée and brother for each other; he frees Miss deHavilland to marry Payne.

Michael Fessier wrote the original screen play; Lloyd Bacon directed it, and Hal B. Wallis produced it. In the cast are John Littel, Victor Jory, Henry O'Neill, John Ridgely, John Galloway, and others.

Suitability, Class A.

**"The Mysterious Miss X" with Michael
Whalen, Mary Hart and Chick Chandler**

(Republic, January 10; time, 64 min.)

A mildly entertaining murder-mystery melodrama with comedy situations, parts of which are pretty silly. Since the comedy is stressed, it is difficult for the spectator to take the melodramatic angle seriously. Moreover, the outcome is obvious; and, although the murderer is not identified until the end, it is simple for one to guess his identity long before then. The plot is far-fetched, and is developed in an unbelievable way:—

Michael Whalen and Chick Chandler, two actors stranded in a small town, having become accidentally involved in the murder of a man in the room next to Whalen's, are arrested and taken to jail. They naturally deny knowing anything about the case. When the police search Whalen's belongings, they find a certificate from Scotland Yard showing that he was an officer who had been sent to the United States on an important mission, and, not realizing that this was a prop Whalen had used in his play, they release them and treat them with courtesy. Mary Hart, whose father had been arrested for the murder, pleads with Whalen to solve the case. The murdered man's widow, too, pleads with Whalen to help her, offering him an advance fee of \$1,000. Having fallen in love with Miss Hart, Whalen agrees to stay. He gets Miss Hart into trouble by his schemes to trap the murderer. By the time the police learn that he was a fraud, he solves the case by proving that the victim's lawyer had committed the murder because of the way the victim had been treating his wife, whom the lawyer loved. He had killed the second man because he knew too much. With the case settled, Whalen and Miss Hart decide to marry; and Chandler, against his will, marries the hotel manager, who had attached herself to him.

George W. Yates wrote the story, and Olive Cooper, the screen play; Gus Meins directed it, and Herman Schlom produced it. In the cast are Mabel Todd, Frank M. Thomas, Regis Toomey, and others.

The murders make it unsuitable for children. Class B.

"They Made Me a Criminal" with John Garfield

(Warner Bros., January 28; time, 92 min.)

A strong melodrama, with very good box-office possibilities. The title is misleading—one would imagine this to be a gangster melodrama; it is rather a story of regeneration. The strength of this picture lies, not so much in the story, as in the excellent performances. Were it not for the effective way in which John Garfield portrays the hero, he would be an extremely unsympathetic character, for his actions are unpleasant almost to the end; one cannot, however, help feeling pity and respect for him. Some situations touch one's emotions; others, provoke hearty laughter. One situation, although of slight importance to the story, is so thrilling that audiences will not soon forget it; it shows Garfield and the five "Dead End" boys swimming in an irrigation tank in which they had been caught when the water started to drain out. As an added attraction for men there are two bouts that are thrillers. The romance is handled effectively:—

In order to prevent a newspaper reporter from printing a story about Garfield, a champion fighter, telling the public that Garfield, who was thought to be a home boy, was, in reality, a drinker and carouser, Robert Gleckler, Garfield's manager, hits the reporter over the head with a bottle; the reporter dies. Gleckler and Garfield's girlfriend (Ann Sheridan) take Garfield, who had passed out in a drunken stupor, to a farmhouse. They take his money, even his wrist watch, and run away; but they are both killed when their automobile is wrecked. Garfield reads the story in the papers the next morning; also that the police believed him to be dead, a victim of the car crash. He leaves town, travelling as a hobo. Hungry and worn out, he stops at the date farm run by Gloria Dickson and May Robson, and by five young tough boys, who had been paroled in their care. Garfield, who had believed that a man was a "sucker" to do a kind deed, gradually changes. When he learns that with \$2,000 the boys could open a gas station and help Miss Dickson along, he signs up to fight a travelling boxer, who offered \$500 a round to any one who could stay in the ring with him. Claude Rains, a New York detective, who had always felt that the dead man in the car had not been Garfield, sees a picture of a fighter in a magazine; this had been snapped by one of the boys and sent to a magazine. From the pose, Rains recognizes Garfield; he sets out for the small town. Garfield, who had seen Rains and had decided not to fight, decides to risk his freedom so as not to disappoint the boys and Miss Dickson, who loved him. He goes into the ring and tries to fight a different way, so that Rains would not recognize him; but he has to revert to his own style in order to stay in long enough to win \$2,000. Rains visits him in the dressing room and Garfield admits his identity. They prepare to leave; but when the train pulls in, Rains, who felt that Garfield might be innocent, decides to let him go; he cautions him to keep his picture out of papers.

Bertram Millhauser and Beulah M. Dix wrote the story, and Sig Herzig, the screen play; Busby Berkeley directed it, and Benjamin Glazer produced it. In the cast are John Ridgely, Barbara Pepper, William Davidson, and others.

One situation at the beginning is pretty sexy; also a murder is committed. Therefore, suitability, Class B.

"The Arizona Wildcat" with Jane Withers and Leo Carrillo

(20th Century-Fox, February 3; time, 69 min.)

Good entertainment. It should appeal, not only to the Jane Withers fans, but also to the followers of western melodramas. Without sacrificing any of the exciting action that is usually a part of outdoor pictures of this type, the author succeeded in injecting comedy, human interest, and a pleasant romance. There is plentiful horseback riding, shooting, and fighting—enough to satisfy the most ardent western fans. Jane and Leo Carrillo are a good comedy team; their antics provoke hearty laughter each time they appear. The action takes place in the year 1870:—

Orphan Jane, whose father had been killed by bandits, lived with Carrillo, his wife and five sons. She had her suspicions about Henry Wilcoxon, the Sheriff, for he had never made any real effort to apprehend the gang of outlaws who had been terrorizing the district and stealing gold shipments. She accidentally finds out that Carrillo, in his youth, had been known as a bandit leader; by clever questioning, she finds out that he had robbed the rich to help the poor. When an innocent young man (William Henry), who knew too much about Wilcoxon, is imprisoned, Jane, unknown to Carrillo, rounds up his former followers again to follow their leader so as to save Henry. At first Carrillo is frightened at the idea, but the excitement soon gets the best of him and he goes forth with his men. But they are all

captured and brought to trial. Jane saves them by proving Wilcoxon's guilt—she had found several gold shipments hidden in his room. Wilcoxon and his men are rounded up; Henry is freed when he proves his innocence and shows the judge evidence of Wilcoxon's murderous activities. Carrillo is made Sheriff, which pleases his family and Jane very much. Henry marries the village school teacher.

Frances Hyland and Albert Ray wrote the story, and Barry Trivers and Jerry Cady, the screen play; Herbert I. Leeds directed it, and John Stone produced it. In the cast are Pauline Moore, Douglas Fowley, and Etienne Girardot. Suitability, Class A.

"Burn 'Em Up O'Connor" with Dennis O'Keefe, Cecilia Parker and Nat Pendleton

(MGM, January 13; time, 69½ min.)

A fairly good program murder-mystery melodrama. Since most of the action takes place at an automobile race-track, where the deaths occur, several races are worked into the plot; these tend to heighten the excitement. The murders are committed in so clever a way that it is likely that most spectators will be surprised at the solution and at the murderer's identity. There is occasional comedy to relieve the tension, and a pleasant, though routine, romance:—

Dennis O'Keefe, who wanted to become an automobile racer, finally realizes his ambition when Harry Carey, automobile manufacturer and manager of several young men who raced his cars, signs him up. The men in Carey's outfit are depressed, since a few of their drivers had met with death on the track; they felt they were jinxed. O'Keefe's breezy manner annoys them; he is particularly annoying to Carey's daughter (Cecilia Parker), with whom he had fallen in love. Everyone's nerves are on edge when two more racers meet with death on the track. O'Keefe, with the assistance of his seemingly stupid mechanic (Nat Pendleton), finally proves that the guilty person was Charley Grapewin, the company doctor; he would inject drops into the drivers' eyes, saying it would give them clear vision; instead the drops would blind them during the race and they would go to their deaths, not being able to see where to drive. Grapewin did this because his own son died while racing for Carey, whom he hated. Miss Parker forgives O'Keefe, promising to marry him.

Sir Malcolm Campbell wrote the story, and Milton Merlin and Byron Morgan, the screen play; Edward Sedgwick directed it, and Harry Rapf produced it. In the cast are Addison Richards, Alan Curtis, Tom Neal, and others.

Suitability, Class A.

"Mr. Moto's Last Warning" with Peter Lorre, Ricardo Cortez and Virginia Field

(20th Century-Fox, January 20; time, 71 min.)

Action fans will find this melodrama to their liking, for it moves at a fast pace, holding one's interest throughout. As is the case in most of the pictures in this series, the story is highly far-fetched; but this is not objectionable, since it offers opportunities for exciting action. Some of the situations, particularly those in which Peter Lorre himself has a hand, are thrilling. The thrills are provoked as a result of the clever means Lorre, whose life is often endangered, employs to outwit the conspirators. Laughter is provoked on a few occasions by the actions of a silly Englishman. The action takes place at Port Said:—

Lorre, an international secret service agent, learns of a plot to disrupt the friendly relations between England and France. His suspicions center on Ricardo Cortez, an actor at a local playhouse. For a time he is able to work with a free hand, for the conspirators believed that they had killed him when, in reality, they had killed his assistant who, according to instructions, had posed as his chief. Lorre learns that the conspirators were planning to destroy ships of both nations when they would arrive at Port Said for war maneuvers. He is captured by the conspirators, who tie him in a sack, and throw him into the water; but Lorre is able to cut his way out and return to the scene of the crime in time to prevent the explosion. Cortez is killed by Virginia Field, a young cafe owner, who had believed he loved her but had learned differently. She thereby saves Lorre's life. The other conspirators are captured.

Philip MacDonald and Norman Foster wrote the original screen play; Norman Foster directed it, and Sol M. Wurtzel produced it. In the cast are John Carradine, George Sanders, Joan Carol, Margaret Irving, and others.

The murders make it unsuitable for children. Good for adults. Class B.

"... 'Zaza,' at the Paramount, and 'Going Places,' at the Strand, both start with two strikes against them by employing yarns that should have been forgotten long ago. The former, with George Cukor doing some of his fanciest directing, and Claudette Colbert contributing a remarkably convincing portrayal of an unconvincing part, is so dated that it fairly cries out for interment in a museum. . . .

"'Going Places' is none other than your old friend 'The Hottentot,' made all over again with Dick Powell as the gentleman rider impersonator and incidental musical numbers. Thanks to the great trumpet player, Louis Armstrong, and that extraordinary swing singer, Maxine Sullivan, the latter interludes are entertaining, but not enough to make 'Going Places' seem like anything but a badly warmed over screen dish."

The following is what this paper said partly about these three pictures:

"Trade Winds": "Just a fair comedy-melodrama. The story is extremely thin and unbelievable."

"Zaza": "The story creaks with age. What may have been considered a great emotional drama years ago strikes one today as being silly."

"Going Places": "A fairly good comedy . . . it is doubtful if [it] will do more than fairly well."

Incidentally, "Zaza" was produced by Paramount twice before: in 1915, with Pauline Frederick, and in 1923 with Gloria Swanson. Both times it "flopped." For this reason Paramount should not be forgiven for making it the third time, wasting more than \$1,500,000 this time; it could have made three pictures with the money and the star values it has wasted.

"Going Places" was produced also in 1916, by Triangle, with Raymond Hutton; in 1923, by First National; and in 1929, by Warner Bros. There is something wrong with a company when it produces a story the fourth time, particularly since the only version that went over was the first.

BOX-OFFICE PERFORMANCES OF 1938-39 SEASON'S PICTURES—No. 3

First National

1938-39

"Secrets of an Actress," with Kay Francis, George Brent, and Ian Hunter, produced by David Lewis and directed by William Keighley, from a screen play by Milton Krims, Rowland Leigh, and Julius J. Epstein: Fair-Poor.

"Four Daughters," with Priscilla Lane, Claude Rains, Jeffrey Lynn, and John Garfield, produced by Henry Blanke and directed by Michael Curtiz, from a screen play by Julius J. Epstein and Lenore Coffee: Excellent-Good.

"Garden of the Moon," with Pat O'Brien, Margaret Lindsay, John Payne, and Johnnie Davis, produced by Lou Edelman and directed by Busby Berkeley, from a screen play by Jerry Wald and Richard Macauley: Very Good-Fair.

"Broadway Musketeers," with Margaret Lindsay, Ann Sheridan, and John Litel, produced by Bryan Foy and directed by John Farrow, from a screen play by Don Ryan and Kenneth Gamet: Fair-Poor.

"Girls on Probation," with Jane Bryan, Ronald Reagan, and Sheila Bromley, produced by Bryan Foy and directed by William McGann, from a screen play by Crane Wilbur: Fair.

"Brother Rat," with Wayne Morris, Priscilla Lane, Ronald Reagan, and Jane Bryan, produced by Robert Lord and directed by William Keighley, from a screen play by Richard Macauley and Jerry Wald: Very Good-Fair.

"Angels with Dirty Faces," with James Cagney, Pat O'Brien, and Ann Sheridan, produced by Sam Bischoff and directed by Michael Curtiz, from a screen play by John Wexley and Warren Duff: Excellent.

Seven pictures have already been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 1; Excellent-Good, 1; Very Good-Fair, 2; Fair, 1; Fair-Poor, 2.

The first seven pictures in the 1937-38 season were rated as follows:

Very Good-Good, 1; Good, 2; Good-Fair, 2; Fair, 1; Fair-Poor, 1.

Paramount 1937-38

"Give Me a Sailor," with Martha Raye, Bob Hope, and Betty Grable, produced by Jeff Lazarus and directed by

Elliott Nugent, from a screen play by Doris Anderson and Frank Butler: Good-Fair.

"Spawn of the North," with George Raft, Henry Fonda, Dorothy Lamour, and Louise Platt, produced by Albert Lewin and directed by Henry Hathaway, from a screen play by Jules Furthman and Talbot Jennings: Very Good-Good.

Fifty-six pictures have been released. Grouping the pictures of the different ratings, including Westerns, from the beginning of the season, we get the following results:

Excellent-Very Good, 1; Excellent-Good, 1; Very Good, 1; Very Good-Good, 4; Very Good-Fair, 5; Good, 3; Good-Fair, 13; Good-Poor, 7; Fair, 11; Fair-Poor, 7; Poor, 3.

Fifty-three pictures were released during the 1936-37 season, excluding the Westerns; they were rated as follows

Excellent, 1; Excellent-Very Good, 2; Very Good, 3; Very Good-Good, 5; Good, 9; Good-Fair, 4; Fair, 9; Fair-Poor, 17; Poor, 3.

1938-39

"Pride of the West," with William Boyd and George Hayes, produced by Harry Sherman and directed by Leslie Selander, from a screen play by Nate Watt: Good-Fair.

"Sing You Sinners," with Bing Crosby, Fred MacMurray, and Ellen Drew, produced and directed by Wesley Ruggles, from a screen play by Claude Binyon: Very Good-Fair.

"In Old Mexico," with William Boyd and George Hayes, produced by Harry Sherman and directed by Edward D. Venturini, from a screen play by Harrison Jacobs: Good-Poor.

"Campus Confessions," with Betty Grable, William Henry, and Hank Luisetti, directed by George Archainboud, from a screen play by Lloyd Corrigan and Erwin Gelsey: Fair-Poor.

"Sons of the Legion," with Lynne Overman, Donald O'Connor, and Tim Holt, produced by Stuart Walker and directed by James Hogan, from a screen play by Lillie Hayward, Lewis Foster, and Robert F. McGowan: Fair-Poor.

"King of Alcatraz," with J. Carrol Naish, Lloyd Nolan, and Gail Patrick, directed by Robert Florey, from a screen play by Irving Reis: Good-Fair.

"Touchdown Army," with John Howard, Mary Carlisle, and Robert Cummings, directed by Kurt Neumann, from a screen play by Lloyd Corrigan and Erwin Gelsey: Fair.

"Arkansas Traveler," with Bob Burns, Fay Bainter, Jean Parker, and John Beal, produced by George M. Arthur and directed by Alfred Santell, from a screen play by Viola Brothers Shore and George S. Perry: Very Good-Good.

"Mysterious Rider," with Douglass Dumbrille and Charlotte Fields, produced by Harry Sherman and directed by Lesley Selander, from a screen play by Maurice Geraghty: Good-Fair.

"Men with Wings," with Fred MacMurray, Ray Milland, and Louise Campbell, produced and directed by William A. Wellman, from a screen play by Robert Carson: Very Good-Good.

"Illegal Traffic," with J. Carrol Naish, Mary Carlisle, and Robert Preston, produced by William C. Thomas and directed by Louis King, from a screen play by Robert Yost, Lewis Foster, and Stuart Anthony: Good-Fair.

"If I were King," with Ronald Colman, Frances Dee, and Basil Rathbone, produced and directed by Frank Lloyd, from a screen play by Preston Sturgis: Very Good-Good.

"Thanks for the Memory," with Bob Hope and Shirley Ross, produced by Mel Shauer and directed by George Archainboud, from a screen play by Lynn Starling: Good-Fair.

Thirteen pictures have already been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Very Good-Good, 3; Very Good-Fair, 1; Good-Fair, 5; Good-Poor, 1; Fair, 1; Fair-Poor, 2.

The first thirteen pictures in the 1937-38 season were rated as follows:

Very Good, 1; Very Good-Good, 1; Good, 2; Fair, 4; Fair-Poor, 4; Poor, 1.

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No. 5

KEEPING IN TOUCH WITH LIFE — THAT'S WHAT BRINGS CREATIVE SUCCESS

In the story which Elliot Arnold wrote in the November 28 issue of the New York World-Telegram, about Dick Simon and Max Schuster, of Simon & Schuster, the New York City book publishers, Mr. Simon is quoted in one part of it as having said the following when he stated that they sell the books they publish because they publish what the people want:

"We try to keep in touch with what's going on around us. We don't want to feel we are publishers—far above or away from life. We try to keep very close to things. We try to retain our amateur standings as human beings."

HARRISON'S REPORTS hopes that every producing executive in Hollywood has read these words, and has benefited by them, for that is exactly what ails Hollywood. For all that anybody knows Hollywood is not part of the mainland in the United States, a city located in California; it is an island, somewhere in the Pacific, surrounded by miles and miles of water, away from the teeming, seething, stirring, overflowing life, with practically no bridge connecting it with the mainland. It is a self-centered world, inhabited by a group of people whose only goal is the size of the check earned by them. The majority of these people consider suggestions from those easterners who foot the bill as suggestions unworthy of even the slightest considerations, "ganging" up on any one who is sent from the east with a view to finding out what is wrong with picture production—why the majority of the pictures that are produced with their money flop dismally at the box office. They have a stranglehold on production in that little world, and they intend to continue having it.

Suggestions have often been made by different factors how the evil could be eradicated. One of such suggestions was that production should be de-centralized, making the heads of each production unit responsible for the results. It is a pious wish, and one that could effect real improvements. But mere suggestions they remain. Who is going to compel any one in Hollywood to accept them? The cliques won't have them. And they have a deadly way of preventing their adoption. Let any one from among the cliques say, "New York is right!" and his job is not worth a cent. Even the stage mechanics are likely to gang up on him.

"Well," you may say, "is there no way whereby the condition could be remedied?"

Nobody has yet found it.

PARAMOUNT ACTIVE IN NORTH DAKOTA FOR REPEAL OF DIVORCEMENT LAW

According to reliable information, Paramount is working toward having the North Dakota theatre divorce law repealed from the statute books of that State.

If the law should be repealed before the U. S. Supreme Court renders its decision, the exhibitors will find it necessary to carry on the theatre-divorce fight in some other state, for the Court will then refuse to render a decision on the ground that the question will have become academic.

Allied should use its efforts toward neutralizing the Paramount move; otherwise, there will be a delay in having the constitutionality of such a law determined.

Incidentally, theatre divorcement measures have been introduced in a few more states.

THE NEW NEELY BILL AGAINST BLOCK BOOKING AND BLIND SELLING

Senator Neely has reintroduced in the Senate his Bill against block booking and blind selling.

In the House of Representatives the twin of the Bill has been introduced by Hon. Andrew Edmiston, of West Virginia, because Mr. Pettengill is no longer a member of Congress.

Congressman Edmiston intends to work together with Senator Neely on the Bill.

The Motion Picture Council has again taken up the cudgel for the Neely Bill. In a release dated January 15, it urges every member to write to Senator Burton K. Wheeler, Chairman of the Committee on Interstate Commerce, as well as to every committee member, urging a prompt committee report and the speedy passage of the Bill by the Senate.

"Complaints by discerning parents about the poor quality of pictures shown at children's matinees in neighborhood theatres are increasing in number and vigor," says the release. "The best way to correct this evil is to secure the passage of the Neely Bill."

OVERDOING A GOOD THING OFTEN HAS THE OPPOSITE EFFECT

The announcement by the Selznick International organization that the actress for the part of Scarlett O'Hara in "Gone With the Wind" has at last been chosen did not make the newspaper editors toss their hats in the air for joy; on the contrary, some of them have received the news with some derision.

The reason for it is the fact that, first, the "gag" of seeking a player for a particular part so as to gain considerable free publicity has been overdone, and in the case of "Gone With the Wind" the "search" was kept up too long—nearly two years.

THE BOX OFFICE PERFORMANCE OF "THE BEACHCOMBER"

On January 20, an executive of Paramount informed this office that "The Beachcomber," contrary to the adverse criticism given of it in these columns, is performing remarkably at the box office. He stated the following:

At the Rivoli, this city, it almost equalled the grosses of "Dead End" and "Hurricane."

At the Paramount, Newark, N. J., it finished the week to almost \$18,000, thus equalling the grosses of "Wells Fargo" and "The Buccaneer," and surpassing those of "Artists and Models Abroad," "Men With Wings," "Arkansas Traveller," and "Bluebeard's Eighth Wife."

At the Sheridan, in Miami, it outgrossed "Zaza" and "Dawn Patrol," and doubled the grosses of "Out West With the Hardys." It was then transferred to the Colony, where in four days it outgrossed "Sweethearts" (doing more in four days than "Sweethearts" in five), "Dawn Patrol," "Stand Up and Fight," and doubled the grosses of "Angels With Dirty Faces," and "Out West with the Hardys."

At the Princess, in Montreal, where the average opening has been \$700, it opened to \$1,300.

In Toronto it opened to considerably more than \$1,900, which is better than "Stage Door," "Four Daughters," "Four's a Crowd," "Lucky Star," "Happy Ending," "You Can't Take It With You," "If I Were King," "Drums," and "Kentucky."

**"Persons In Hiding" with J. Carrol Naish,
Lynne Overman and Patricia Morison**

(Paramount, Feb. 10; time, 70 min.)

An extremely interesting and exciting gangster melodrama; it is, however, strictly adult fare. The original story, which was written by J. Edgar Hoover, is developed in a logical manner and is convincing; it shows in detail the methods employed by the Federal Bureau of Investigation in tracking down criminals and their hideouts. What makes it unsuitable for children is the fact that, despite the ending, which proves that crime does not pay, the central character is a young girl whose craving for luxuries makes her a cold-blooded and ruthless criminal. Most of the picture is taken up with the activities of this girl and of her companions. No attempt is made to glorify the criminals; as a matter of fact, the bravery of the G-Men is stressed.

In the development of the plot, Patricia Morison, who worked in a beauty parlor, decides to get the luxuries she wanted by leading a life of crime. She joins forces with J. Carrol Naish, a petty crook, warning him that he would have to follow her instructions. He falls madly in love with her and is completely under her control. After their marriage, they go to visit her parents, who lived on a broken-down farm. From a radio broadcast, the parents learn about the crimes the couple had committed. When her mother, whom she adored, orders her to leave, Miss Morison pleads for forgiveness, claiming that she could not lead a life of poverty as her mother had done. Their crimes become more daring; eventually they join forces with a well-known gangster, who had admired Miss Morison's cleverness. They kidnap a millionaire, releasing him after they receive \$200,000 ransom. From minor details the victim could remember, G-Man Lynne Overman and his assistant (William Henry) locate the hideout, which was Miss Morison's parent's farm; they capture the gang, but Miss Morison and Naish escape. The parents are arrested. The thought of her innocent mother being in jail is more than Miss Morison can stand. She double-crosses her own husband, hoping in that way to save her mother. But it does not work; both she and Naish are eventually captured. They confess; her parents are released.

William R. Lipman and Horace McCoy wrote the screen play; Louis King directed it, and Edward T. Lowe produced it. In the cast are William Frawley, William Collier, Sr., May Boley, Richard Carle, Richard Stanley, and others.

Unsuitable for children and adolescents. Class B.

**"Lone Wolf's Spy Hunt" with Warren
William and Ida Lupino**

(Columbia, Jan. 27; time, 71 min.)

Just a moderately entertaining melodrama. Handicapped by a far-fetched plot and too much comedy, which at times is pretty silly, the picture will prove disappointing to those who may expect, from the title, a really exciting melodrama. In addition, the plot development lacks novelty. The production is lavish; but this alone cannot hold the spectator's attention. No fault can be found with the performances, for there is not much that the stars could do with the material at hand:—

Warren William, who had retired from a life of crime in order to take care of his motherless daughter (Virginia Weidler), is kidnapped by gangsters, who offer him a large sum of money to open a safe for them; they wanted to steal the secret plans for new anti-aircraft guns. When William refuses, they release him. They continue with their plans, however, and plant evidence involving William as the crook. William, in an effort to clear his name, starts out to investigate the case. He is hampered in his work by Ida Lupino, the scatter-brained daughter of a Senator, who was intent on marrying him, despite his objections; also by little Virginia, who wanted to be a G-Woman. The gangsters kidnap William a second time, for they had discovered that the plans were incomplete, and they had to open another safe; he outwits them by taking the plans himself and giving them different ones. They release him without knowing about the trick. Eventually, after many exciting encounters with the crooks and their leader (Ralph Morgan), William turns over the plans to the police and helps them round up the gang. William asks the police inspector to lock him up so that he could escape from Miss Lupino; but Virginia steals the key to the cell and turns it over to her.

Louis J. Vance wrote the story, and Jonathan Latimer, the screen play; Peter Godfrey directed it, and Joseph Sistrom produced it. In the cast are Rita Hayworth, Tom Dugan, Ben Welden, and others.

Since the comedy is stressed, it is suitable for all. Class A.

**"Pardon Our Nerve" with Lynn Bari,
June Gale and Michael Whalen**

(20th Century-Fox, Feb. 24; time, 67½ min.)

A pretty good program comedy. In spite of the fact that the story is not particularly novel, it is consistently amusing because of wisecracks and of the antics of some of the characters. And the predicaments the heroine and her girl friend get themselves into are further causes for laughter. The action moves along at a fast pace. Although the prize-fight scenes are treated in a comical way, they are fairly exciting:—

Lynn Bari and June Gale, both out of work and without funds, are happy when they receive a call from an escort service bureau for one day's work. But the day ends disastrously and, when they call at the office the next day to collect their fee, the manager refuses to pay them. While he is out of the office, Miss Bari answers a telephone call, which was from a society woman who wanted a prize-fighter for her party, for which she would pay \$150. Miss Bari induces Guinn Williams, who had been attracted to Miss Gale because she reminded him of his sweetheart back home, to pose as the fighter; she enlists the aid of his pal (Edward Brophy); the only reason why he entered into the scheme was because the girls owed him money. They get into trouble again when Williams knocks out the champion fighter, who was a guest. Michael Whalen, a sports writer, induces Miss Bari to train Williams as a boxer. They obtain a loan from a man to whom they were already indebted in order to carry out their plans. Williams wins all his fights; but when it comes to the championship bout he refuses to fight unless the girls send for his sweetheart. To add to their troubles, two gamblers try to stop Williams from winning. But everything turns out all right—Williams wins, the girls collect their share, and then start out on new adventures.

Hilda Stone and Betty Reinhardt wrote the story, and Robert Ellis and Helen Logan, the screen play; H. Bruce Hummerstone directed it, and Sol M. Wurtzel produced it. In the cast are John Miljan, Theodore Von Eltz, and Ward Bond.

Suitability, Class A.

**"St. Louis Blues" with Dorothy Lamour
and Lloyd Nolan**

(Paramount, Feb. 3; time, 86 min.)

Fairly good mass entertainment. What puts this picture over are the specialty numbers, for the story itself is weak and somewhat slow-moving; it lacks excitement because of a familiar plot. The title has exploitation possibilities; exhibitors will have to depend on it to attract patrons to the theatre since the stars are not strong box-office attractions. When the specialty performers appear, the picture is entertaining — Maxine Sullivan sings the type of songs for which she has become famous, Matty Malneck and his orchestra play popular swing music, the Hall Johnson Choir joins Miss Sullivan in a few numbers, Tito Guizar sings two songs, and Cliff Nazarro provokes hearty laughter by his antics. And, of course, Miss Lamour sings a few numbers; but she is not at her best until the final number:—

Dorothy Lamour, tired of pretending to be a native girl and of wearing a sarong, breaks with her manager (Jerome Cowan), who had thought of the idea, and runs away. She boards the showboat owned and managed by Lloyd Nolan and his aunt (Jessie Ralph). Her first tryout as a singer falls flat and Nolan, for a long time, refuses to give her another chance, requesting her instead to do work around the boat. But she tricks him into listening to her and he is amazed at her talent. Thereafter he features her; she proves to be a sensation. In the meantime, Cowan obtains an injunction preventing Miss Lamour from appearing publicly. Miss Ralph reads in a trade paper a notice about the injunction; but, being fond of Miss Lamour, and knowing that she and Nolan loved each other, she says nothing about it. Miss Lamour goes to New York to see Cowan, to plead with him to release her; but he refuses. She goes back to the showboat. But Cowan finds out where she is, and serves the injunction papers on Nolan. Through a ruse, Miss Lamour manages to appear at a performance for which all the tickets had been sold out on the strength of her name. To newspaper men, Nolan gives the happy news that he and Miss Lamour were going to be married.

Eleanore Griffin and William Rankin wrote the story, and John C. Moffitt and Malcolm S. Boylan, the screen play; Raoul Walsh directed it, and Jeff Lazarus produced it. In the cast are William Frawley, Mary Parker, and others.

Suitability, Class A.

"Gunga Din" with Cary Grant, Victor McLaglen, Douglas Fairbanks, Jr. and Joan Fontaine

(RKO, Rel. date not set; time, 116 min.)

A thrilling adventure melodrama, produced on a "big" scale. The scenes of fighting between the British soldiers and the native "Thugs," an organized group of religious murder fanatics, are so brilliantly directed, that the audience is keyed up to a pitch of feverish excitement. As a matter of fact, the battle in the closing scenes may prove too harrowing for some spectators. Cary Grant, Victor McLaglen, and Douglas Fairbanks, Jr., three adventurous sergeants, who fight side by side, give excellent performances; not only do they thrill one by their daring exploits, but also provoke hearty laughter by the pranks they play. The romantic interest is minimized:—

Upon learning that an entire British patrol had been massacred by a fanatical native tribe, the commanding officer sends his three trusted sergeants (Grant, McLaglen and Fairbanks) with a small troop to repair telegraph wires. They are attacked, and after a terrific battle, escape with a few casualties. Upon their return to headquarters, Fairbanks reveals to his two pals that he intended to retire from Army life to marry Joan Fontaine; they are disgusted. In an effort to prevent Fairbanks from leaving, Grant gives the only other available sergeant a drink that knocks him out; Fairbanks is, therefore, compelled to join his pals on another expedition. Grant, learning from the water boy, Gunga Din (Sam Jaffe), of a hidden treasure, prepares to go in search of it; McLaglen knocks him out and then locks him up in order to prevent him from getting into trouble. But Jaffe helps him to escape and together they go in search of the treasure. They reach and enter a temple only to find that it was the worshipping place of the followers of the Thuggee cult. Grant is captured, but Jaffe escapes and gets back to camp. When Fairbanks and McLaglen hear of Grant's plight, they rush to his assistance; but they, too, are captured. Through a ruse, McLaglen succeeds in capturing the Thug leader (Eduardo Cianelli), keeping him as their hostage. The three sergeants are delighted to see in the distance a large force of British troops on their way to rescue them. But their delight changes to despair when they realize that the entire troop would be slaughtered by the natives, who were concealed in the hills. Jaffe, although wounded, climbs to the top of the temple and blows a bugle, thus warning the British. He then dies. Properly warned, the British troops are able to protect themselves. After a fierce battle, they emerge victorious. Jaffe is buried with honors. Fairbanks decides to stay in the Army.

Ben Hecht and Charles MacArthur wrote the story which was inspired by the Rudyard Kipling poem. Joel Sayre and Fred Guil wrote the screen play; George Stevens directed and produced it. In the cast are Montagu Love, Lumsden Hare, Robert Coote, Abner Biberman, and others.

Suitability, Class A.

"Off The Record" with Joan Blondell and Pat O'Brien

(Warner Bros., Jan. 23; time, 70 min.)

A fair comedy-melodrama, of program grade. Human interest is awakened by the efforts of the hero and the heroine to regenerate a young boy who had been led astray by his older brother. The association between the trio has its comical moments, too, for the young man is not an easy person to handle. Neither the plot nor its development is particularly novel, but it manages to hold one's attention fairly well because of the sympathy one feels for the characters. The action becomes somewhat exciting towards the end:—

Joan Blondell, a newspaper reporter, publishes a story accusing a notorious racketeer of employing a young boy (Bobby Jordan) to supervise the running of slot machines in school districts. Both Jordan and his brother Alan Baxter, a member of the racketeer gang, are arrested. The gangster leader induces Baxter to take the blame, promising to get him off with a light sentence; but he double-crosses Baxter, who is given a two-year sentence. Jordan is sent to reform school. Feeling sorry for Jordan, Miss Blondell decides to help him; but the only way she could get him out of reform school was to have a married couple take him into their home. She induces Pat O'Brien, her fiance reporter, to marry her; he is furious when he learns what she intended to do. But when Miss Blondell takes Jordan into their home, O'Brien takes a liking to him. Under their influence, Jordan changes for the better, and goes to work as a photographer-assistant to O'Brien. Baxter escapes from prison; Jordan meets him and gives him the

money he had obtained by pawning his camera. Jordan pleads with him not to get into trouble, but Baxter is determined to kill his double-crossing leader. Jordan follows him; in the meantime the police look for him on a theft charge, of which he was innocent. Baxter and the leader shoot at each other, and both die. Jordan is comforted by Miss Blondell and O'Brien, who prove his innocence.

Saul Elkins and Sally Sandlin wrote the story, and Earl Baldwin, Niven Busch, Laurent Kimble and Robert Buckner, the screen play; James Flood directed it and Sam Bischoff produced it. In the cast are Joe Cunningham, Ed Gargan, and others.

Since the regeneration is stressed, it is suitable for children. Class A.

"Pride of the Navy" with James Dunn and Rochelle Hudson

(Republic, Feb. 20; time, 63 min.)

Fair program entertainment. Although the story is familiar, the spectator's interest is held fairly well for the action is fast, at times amusing, and occasionally dramatic. One is held in suspense in the two situations where a new type torpedo boat is tested. James Dunn's wisecracking proves slightly irksome at times, causing the spectator to resent his attitude; but he redeems himself in the end by helping a friend. The romance is routine:—

Gordon Oliver, a lieutenant in the Navy, unable to find out what was wrong with the torpedo boat he had designed for the Navy, decides to call in his friend (Dunn), a speed boat racer, who was an expert. Dunn at first refuses to give up his time for what he considered trifles; but when he meets Rochelle Hudson, the commander's daughter, he changes his mind. The new boat is built under Dunn's instructions; but he expresses dissatisfaction with it. The night before the test, he quarrels with Oliver, who thought that Dunn's intentions towards Miss Hudson were not serious; Dunn is ordered to leave. His mechanic and old friend (Horace MacMahon) refuses to leave with him. Instead he and Oliver test the boat; they meet with an accident and both are injured. Conscience-stricken, Dunn returns with new ideas. He perfects the boat and in a difficult test proves the boat's worth. He proposes to Miss Hudson; but, since she insisted that the man she would marry would have to be in the Navy, Dunn is compelled to enlist.

James Webb and Joseph Hoffman wrote the story, and Ben Markson and Saul Elkins, the screen play; Charles Lamont directed it, and Herman Schlom produced it. In the cast are Charlotte Wynters, Joseph Crehan, and Charles Trowbridge.

Suitability, Class A.

"Torchy Blane in Chinatown" with Glenda Farrell and Barton MacLane

(First Nat'l., Feb. 4; time, 57 min.)

A pretty good program melodrama. Done in the same breezy style as the other pictures in this series, it manages, despite a far-fetched story, to hold one's attention throughout because of the mystifying plot. The action moves along at a fast pace, alternating comedy with melodramatic situations. Average audiences may be surprised at the solution; but it will be simple for intelligent spectators to detect the identity of the plotters. The romance between the hero and the heroine is minimized:—

Glenda Farrell, newspaper reporter, is angry when her police-inspector fiance (Barton MacLane) refuses to give her any information on a new case he was working on. He was protecting the life of Anderson Lawlor, who had received threatening notes, written in Chinese, informing him he would be killed because he had smuggled out of China three burial tablets, which he had sold to Henry O'Neill. Lawlor is supposedly killed, and so is his companion (James Stephenson). In the meantime, the young millionaire fiance of O'Neill's daughter receives a note threatening him with death unless he turned over \$250,000 as designated. Miss Farrell, by following MacLane, gets all the facts and offers suggestions to him; but he refuses to listen to her. Eventually the case is solved. It turns out that Lawlor and Stephenson, who had really not been killed, and another companion (Patric Knowles) were the conspirators who had themselves sent the threatening notes so as to get the \$250,000 and throw the suspicion on some one else.

Will Jenkins and Murray Leinster wrote the story, and George Bricker, the screen play; William Beaudine directed it, and Bryan Foy produced it. In the cast are Tom Kennedy, Janet Shaw, and Frank Shannon.

Unsuitable for children. Class B.

USING THE SCREEN FOR CARRYING THE MESSAGE OF DEMOCRACY'S BLESSINGS

In these days of world strife, many exhibitors have felt that the screen should by all means be utilized for spreading the message of democracy and for arousing the patriotic fervor of the people in this country; they feel that this is the only way by which invidious propaganda from totalitarian countries may be counteracted.

Warner Bros. has, as most of you no doubt know, already produced six Americanization shorts, in natural colors, and it is now producing six more.

I have seen one of these short features, "Declaration of Independence," and desire to say that, in addition to its being a fine patriotic subject, it is excellent entertainment.

Every exhibitor should book, not only these shorts, but others, no matter whether they are released by Warner Bros. or by any of the other companies. I feel sure that picture-patrons will enjoy them.

BOX-OFFICE PERFORMANCES OF 1938-39 SEASON'S PICTURES—No. 4

RKO

1937-38

"Smashing the Rackets," with Chester Morris, Frances Mercer, and Bruce Cabot, produced by B. P. Fineman and directed by Lew Landers, from a screen play by Lionel Houser: Good-Fair.

"Breaking the Ice," with Bobby Breen, Charles Ruggles, and Dolores Costello, produced by Sol Lesser and directed by Edward F. Cline, from a screen play by Mary McCall, Jr., Manuel Seff, and Bernard Schubert: Good-Fair.

"Carefree," with Ginger Rogers and Fred Astaire, produced by Pandro S. Berman and directed by Mark Sandrich, from a screen play by Ernest Pagano and Allan Scott: Very Good-Good.

"The Renegade Ranger," with George O'Brien and Rita Hayworth, produced by Bert Gilroy and directed by David Howard, from a screen play by Oliver Drake: Fair-Poor.

Forty-five pictures have been released. Grouping the pictures of the different ratings, including the Westerns, from the beginning of the season, we get the following results:

Excellent-Good, 2; Very Good-Good, 2; Good-Fair, 9; Good-Poor, 7; Fair, 8; Fair-Poor, 15; Poor, 2.

Forty-six pictures were released in the 1936-37 season. They were rated as follows:

Excellent-Fair, 1; Very Good-Good, 2; Good, 4; Good-Fair, 11; Fair, 12; Fair-Poor, 12; Poor, 4.

1938-39

"The Affairs of Annabel," with Jack Oakie and Lucille Ball, produced by Lou Lusty and directed by Ben Stoloff, from a screen play by Bert Granet and Paul Yawitz: Good-Fair.

"Fugitives For a Night," with Frank Albertson and Eleanor Lynn, produced by Lou Lusty and directed by Leslie Goodwins, from a screen play by Dalton Trumbo: Fair.

"Room Service," with the Marx Brothers, Lucille Ball, and Frank Albertson, produced by Pandro S. Berman and directed by William Seiter, from a screen play by Morrie Ryskind: Good-Fair.

"Mr. Doodle Kicks Off," with Joe Penner and June Travis, produced by Robert Sisk and directed by Leslie Goodwins, from a screen play by Bert Granet: Good-Fair.

"A Man to Remember," with Edward Ellis, Anne Shirley, and Lee Bowman, produced by Robert Sisk and directed by Garson Kanin, from a screen play by Dalton Trumbo: Good.

"The Mad Miss Manton," with Barbara Stanwyck and Henry Fonda, produced by P. J. Wolfson and directed by Leigh Jason, from a screen play by Philip G. Epstein: Good-Fair.

"Tarnished Angel," with Sally Eilers, Lee Bowman, and Ann Miller, produced by H. P. Fineman and directed by Leslie Goodwins, from a screen play by Jo Pagano: Fair-Poor.

"Lawless Valley," with George O'Brien and Kay Sutton, produced by Bert Gilroy and directed by David Howard, from a screen play by Oliver Drake: Fair-Poor.

"Annabel Takes a Tour," with Jack Oakie and Lucille Ball, produced by Lou Lusty and directed by Lew Landers,

from the screen play by Bert Granet and Olive Cooper: Good-Fair.

Nine pictures have already been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Good, 1; Good-Fair, 5; Fair, 1; Fair-Poor, 2.

The first nine pictures in the 1937-38 season were rated as follows:

Excellent-Good, 1; Good-Fair, 1; Fair, 4; Fair-Poor, 3.

20th Century-Fox 1938-39

"Gateway," with Don Ameche and Arlene Whelan, produced by Samuel G. Engel and directed by Alfred Werker, from a screen play by Lamar Trotti: Good-Poor.

"Keep Smiling," with Jane Withers, Gloria Stuart, and Henry Wilcoxon, produced by John Stone and directed by Herbert I. Leeds, from a screen play by Frances Hyland and Albert Ray: Good-Fair.

"Alexander's Ragtime Band," with Alice Faye, Tyrone Power, and Don Ameche, produced by Harry Joe Brown and directed by Henry King, from a screen play by Kathryn Scola and Lamar Trotti: Excellent.

"Speed To Burn," with Michael Whalen and Lynn Bari, produced by Jerry Hoffman and directed by Otto Brower, from a screen play by Robert Ellis and Helen Logan: Fair.

"My Lucky Star," with Sonja Henie and Richard Greene, produced by Harry Joe Brown and directed by Roy Del Ruth, from a screen play by Harry Tugend and Jack Yellen: Very Good-Fair.

"Safety in Numbers," with Jed Prouty, Spring Byington, and Shirley Deane, produced by John Stone and directed by Malcolm St. Clair, from a screen play by Joseph Hoffman, Karen DeWolf and Robert Shapin: Fair.

"Hold That Coed," with George Murphy, Marjorie Weaver, and John Barrymore, produced by David Hempstead and directed by George Marshall, from a screen play by Karl Tunberg, Don Ettlinger, and Jack Yellen: Good-Fair.

"Time Out For Murder," with Michael Whalen and Gloria Stuart, produced by Howard J. Green and directed by H. Bruce Humberstone, from a screen play by Jerry Cady: Good-Fair.

"Straight, Place and Show," with the Ritz Brothers, Phyllis Brooks and Richard Arlen, produced by David Hempstead and directed by David Butler, from a screen play by M. M. Musselman and Allen Rivkin: Good-Fair.

"Meet the Girls," with Lynn Bari and June Lang, produced by Howard J. Green and directed by Eugene Forde, from a screen play by Marguerite Roberts: Fair-Poor.

"Five of a Kind," with the Dionne Quintuplets, Jean Hersholt, Claire Trevor, and Cesar Romero, directed by Herbert I. Leeds, from a screen play by Lou Breslow and John Patrick: Good-Fair.

"Mysterious Mr. Moto," with Peter Lorre, Mary Maguire and Henry Wilcoxon, produced by Sol M. Wurtzel and directed by Norman Foster, from a screen play by Phillip MacDonald and Norman Foster: Good-Fair.

"Suez," with Tyrone Power, Loretta Young, and Annabella, produced by Gene Markey and directed by Allan Dwan, from a screen play by Philip Dunne and Julien Josephson: Very Good-Good.

"Always in Trouble," with Jane Withers, Andrew Tombes, and Jean Rogers, produced by John Stone and directed by Joseph Santley, from a screen play by Karen DeWolf and Robert Chapin: Good-Fair.

"Just Around the Corner," with Shirley Temple, Charles Farrell, and Joan Davis, produced by David Hempstead and directed by Irving Cummings, from a screen play by Ethel Hill, J. P. McEvoy, and Darrell Ware: Very Good-Good.

"Sharpshooters," with Brian Donlevy, Lynn Bari, and John King, produced by Sol M. Wurtzel and directed by James Tinling, from a screen play by Robert Ellis and Helen Logan: Fair.

Sixteen pictures have already been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 1; Very Good-Good, 2; Very Good-Fair, 1; Good-Fair, 7; Good-Poor, 1; Fair, 3; Fair-Poor, 1.

The first sixteen pictures in the 1937-38 season were rated as follows:

Excellent, 1; Excellent-Very Good, 1; Excellent-Good, 1; Very Good-Good, 2; Very Good-Fair, 1; Good-Fair, 4; Good-Poor, 2; Fair, 3; Fair-Poor, 1.

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No. 6

REAPING THE WHIRLWIND

For years the independent exhibitors have been protesting to the producers for permitting their stars to take part in radio broadcasts sponsored either by themselves or by others, but in every instance they were told by these producers that the appearance of these stars in radio shows not only did not do any harm, but it did much good, in that, as they said, it advertised both the stars and the pictures they appeared in.

The exhibitors knew from experience, of course, that the producers were wrong, for they felt it at the box office on the nights the stars were and still are broadcasting; but they could do nothing about it.

As a matter of logic, the producers ought to have known that the taking part in broadcasts of names such as Jack Benny, Tyrone Power, Nelson Eddy, Don Ameche, Herbert Marshall, Loretta Young, Fred Astaire, Joan Bennett, Myrna Loy, Cary Grant, the Marx Bros., Ronald Colman, Carole Lombard and of many others, on the same night, although on different programs, could not help giving a hard blow to the box office, but they seemed not to have realized it; it is only now, when receipts in all but the most outstanding pictures have reached the lowest in any period of the history of motion picture exhibition, that they are beginning to realize it.

Radio is a formidable competitor to motion pictures, by reason of the fact that the radio people are a more progressive lot than are the motion picture people, and are not fettered with politics, such as is the motion picture industry: since the provider of radio entertainment must give an accounting for the sort of show he produces to the advertiser directly and not to the public, as is the case with the motion picture industry, he stands or falls by the quality of the entertainment he can produce, for unless it is of high quality, the advertiser will look to someone else for his entertainment; he pays thousands of dollars for the privilege of reaching the public during the hour he sponsors, and he cannot afford to give the public poor, or even fair, entertainment. As a result, the providers of radio entertainment are wide awake. Every week they bring out something new to keep the listeners in at home, away from motion pictures. The standard they have in mind when they get together their entertainment is motion picture entertainment exclusively. It is what the motion picture theatre offers that they are trying to outdo—nothing else.

If any producer has any doubt that this is so, all he has to do is to look into his box-office receipts: he will find that his top-notch pictures, the very best of them, outdraw the top-notch pictures of former years, but his other pictures don't draw a corporal's guard—less than half of what pictures

of similar grade used to draw in former years. The reason for it is the fact that it takes a powerful picture to draw people away from their radio at home, particularly during bad weather, when the comforts of home make the radio more attractive.

Recently *The Hollywood Reporter* said: "The greatest worry in this picture business today is the continued falling off in audience attendance, which is happening right at a time when the producers believe they are making the finest and most expensive pictures that have ever come out of any studio. Exhibitors, distributors and producers are getting frantic because of the attendance drop; nothing seems to accelerate box-office reaction that WAS in other days. . . ."

Two things the producers must do to bring to the theatres normal attendance: discontinue either sponsoring radio hours or permitting their stars to take part in radio broadcasts, and make a greater number of high-grade pictures.

Television is to begin this spring, and unless they take steps to mend their fences, they will find themselves before another formidable competitor.

BOX-OFFICE PERFORMANCES OF 1938-39 SEASON'S PICTURES—No. 5

United Artists 1938-39

"Algiers," with Charles Boyer, Hedy LaMarr, and Sigrid Gurie, produced by Walter Wanger and directed by John Cromwell, from a screen play by John Howard Lawson: Very Good-Fair.

"Drums," with Sabu, Raymond Massey, Roger Livesey, and Valerie Hobson, produced by Alexander Korda and directed by Joltan Korda, from a screen play by Arthur Wimperis, Patric Kirwan, and Hugh Gray: Good-Fair.

"There Goes My Heart," with Fredric March, Virginia Bruce, and Patsy Kelly, produced by Hal Roach and directed by Norman Z. McLeod, from a screen play by Eddie Moran and Jack Jevne: Good-Fair.

"The Young in Heart," with Janet Gaynor, Douglas Fairbanks, Jr., Billie Burke, Roland Young, and Paulette Goddard, produced by David O. Selznick and directed by Richard Wallace, from a screen play by Paul Osborn: Very Good-Good.

Four pictures have already been released. Grouping the pictures of the different ratings from the beginning of the season, we get these results:

Very Good-Good, 1; Very Good-Fair, 1; Good-Fair, 2.

The first four pictures in the 1937-38 season were rated as follows:

Excellent-Very Good, 1; Excellent-Good, 1; Good-Poor, 1; Fair-Poor, 1.

(Continued on last page)

"Idiot's Delight" with Norma Shearer and Clark Gable

(MGM, January 27; time, 106½ min.)

Very good adult entertainment. Its appeal will be directed more to class audiences than to the masses, because of the overabundance of dialogue. The action moves at a fairly lively pace in the first half, but the second half is typical of a stage play, with all the action concentrated in one room. Considering the popularity of the two stars, however, it should draw well at the box-office. In adapting it from the stage play, the producer eliminated some of the strong anti-war propaganda and refrained from mentioning the names of the countries responsible for war. But enough is said by the characters, especially by Burgess Meredith, to make one realize that war is horrible and futile. The romance between Gable and Miss Shearer is slightly on the sordid side; but, as a result of their excellent performances, one cannot help feeling sympathy for both of them:—

After the World War, Gable goes back to his profession as a vaudeville actor. While playing in Omaha, he meets Miss Shearer, member of an acrobatic troupe; they spend the night together at a hotel and part the next morning. Years later they meet again, at a European frontier hotel. Gable and a group of girls, with whom he had been touring throughout Europe, are unable to proceed because of frontier trouble and expected air raids. Miss Shearer, wearing a blond wig and talking with a Russian accent, arrives with Edward Arnold, a powerful munitions manufacturer. Gable recognizes her from the fantastic stories she tells about herself—that she was a Russian princess, and had visited royalty all over Europe. She, too, recognizes him but pretends she does not know him. Everyone prepares to leave the next day. But Arnold, who was annoyed at Miss Shearer for having told him the truth about himself, wants to get rid of her; he refuses to vouch for her passport and so she is detained. Everyone leaves, including Gable. But he returns to help Miss Shearer. It is then that she drops her accent and acknowledges her identity. Together, arm in arm, they watch the bombing that had started, expecting to meet with death. Their lives are spared; happily, they look forward to a new life together.

Robert E. Sherwood wrote the screen play from his own stage play; Clarence Brown directed it, and Hunt Stromberg produced it. In the cast are Charles Coburn, Joseph Schildkraut, Laura Hope Crews, Skeets Gallagher, and others.

Unsuitable for children and adolescents. Class B.

"Navy Secrets" with Fay Wray and Grant Withers

(Monogram, February 1; time, 60 min.)

A moderately entertaining espionage melodrama. The plot developments are obvious and so the spectator is held only in fair suspense. Furthermore, too much footage is wasted in the romantic sequences, thus slowing up the action. Towards the end, the action becomes quite exciting, culminating in the roundup of the spy ring:—

Craig Reynolds, an officer in the United States Navy, is arrested for having sold government plans to foreign agents. Grant Withers, a Federal investigator posing as a sailor friend of Reynolds', wins the confidence of Fay Wray, supposedly Reynolds' fiancée. Pretending that he had stamps belonging to Reynolds, which he was supposed to turn over to some man whose name he had forgotten, he induces Miss Wray to take him to the different places she used to frequent with Reynolds. They finally locate the man they wanted; he was the leader of the spy ring. But when he discovers that he was trapped, he tries to kill Withers and Miss Wray. The police, who had been notified in advance by Miss Wray, arrive in time to save them, and to round up the gang. Withers learns, to his surprise, that Miss Wray, too was a federal agent, working on the same case. He is happy, for he had fallen in love with her.

Steve Fisher wrote the story, and Harvey Gates, the screen play; Howard Bretherton directed it, and William Lackey produced it. In the cast are Dewey Robinson, George Sorel, and others.

Suitability, Class A.

"Boy Trouble" with Charlie Ruggles and Mary Boland

(Paramount, February 17; time, 73 min.)

A fairly pleasant program comedy, with human appeal. Several situations touch one's emotions because of the appealing way in which they are played by two youngsters (Billy Lee and Donald O'Connor). In the first half, comedy predominates; but as the story develops it becomes a little more dramatic, ending on a sentimental note. The romantic interest is routine:—

Charlie Ruggles, a department store clerk in a boys' department, hates his work for he had to contend with an irritable manager and with cranky boy customers. He is irritated further when he learns that his daughter (Joyce Mathews) was in love with John Hartley, a wise-cracking young man who had been the cause of Ruggles' paying a fine in an automobile accident; he orders Hartley out of the house. Hartley sneaks in the following morning and convinces Miss Boland that Ruggles was irritable because he missed having a son in his own home. Unknown to Ruggles, she adopts six-year old Billy Lee from an orphanage. Ruggles is enraged when she breaks the news to him; he puts Billy in his car to take him back to the orphanage. On the way, Ruggles knocks down Donald O'Connor, another orphan, and returns home with both boys. Seeking peace one night, he goes to a neighbor's house, where the two boys follow him; they reveal that Billy had scarlet fever. Since the neighbor was out, the three are quarantined in her house. During the time that he treats Billy, Ruggles realizes what the two boys meant to him. Billy recovers, and Ruggles goes back to work. When he hears that the orphanage intended taking Billy back, he gives up his job so as to rush to the board meeting to present his case. He so impresses the chairman of the board that, not only does he permit him to keep Billy, but also offers him a good position. Everyone is happy; Ruggles even forgives Hartley.

Lloyd Corrigan and Monte Brice wrote the story, and Laura and S. J. Perelman, the screen play; George Archibald directed it. In the cast are Andrew Tombes, Dick Elliott, Zeffie Tilbury, and others.

Suitability, Class A.

"Nancy Drew, Reporter" with Bonita Granville and Frankie Thomas, Jr.

(First National, February 18; time, 68 min.)

Good program fare. Should the "Nancy Drew" pictures to follow continue to be as entertaining as this one, there is no doubt that the series will become popular. This one should amuse both young and old; it alternates between comedy and melodrama, holding the spectator's attention throughout. Bonita Granville and Frankie Thomas, Jr., continuing in the roles they created in "Nancy Drew, Detective," act their respective parts with conviction. They are aided considerably by two youngsters (Mary Lee and Dickie Jones), who make nuisances of themselves. Most of the laughter is provoked by the antics of these two children. One musical number has been interpolated in a clever way and is quite entertaining:—

In line with her school work in journalism, Miss Granville and a few other students are given the privilege of working on a real newspaper, with the understanding that the one who would turn in the best story would receive a cash award and a medal. Dissatisfied with the assignment given to her, Miss Granville, unknown to the editor, switches assignments with a regular reporter. She covers an inquest on a murder case, and, from the testimony, decides that the girl who was being held for the murder was not guilty. The editor, of course, refuses to listen to her; and so she proceeds with the investigation on her own. She enlists the aid of Thomas, who reluctantly agrees to help her. They are hampered at times in their work by Thomas' young sister and brother. Eventually Miss Granville and Thomas obtain the necessary evidence, proving that the accused girl was innocent; they help the police to apprehend the real criminal.

The plot was adapted from the stories by Carolyn Keene. Kenneth Gamet wrote the screen play; William Clemens directed it, and Bryan Foy produced it. In the cast are John Litel, Sheila Bromley, Larry Williams, Thomas Jackson, and others.

Suitability, Class A.

**"Tailspin" with Alice Faye, Nancy Kelly
and Constance Bennett**

(20th Century-Fox, February 10; time, 83½ min.)

Just fair entertainment. It offers little in the way of stunt flying that has not already been shown to better advantage in other aeroplane pictures. The only novelty is that in this case the flyers are women. There is just one tense situation—that in which Edward Norris, a test pilot, goes to his death. This touches the spectator because of the unhappiness it brings to Norris' wife (Nancy Kelly). The story lacks dramatic power and human appeal, for the actions of the characters are not such as to awaken one's sympathy. Even the romantic involvements are vague. Alice Faye puts over one song well; otherwise she is wasted in a part that makes little use of her talents:—

Miss Faye, who had given up her position in a cafe to compete in an aeroplane race for women, loses the race because of a motor defect which grounds her. But, despite straitened circumstances, she is determined to try again. Together with her friend and assistant (Joan Davis), she flies to the air field where an important race for women was to be held. Everyone's hopes are high until Constance Bennett, a wealthy society girl, arrives with her powerful plane. The other flyers feel it would be unfair of her to compete in a race that meant nothing to her and everything to them. Norris' sudden death while testing a new plane makes everyone miserable; his wife, a flyer, unable to stifle her grief, goes to her death in his plane. Miss Bennett shows herself to be a good sport when she leaves the race, even though she was leading, in order to permit Miss Faye to win. Something goes wrong with Miss Bennett's motor and she is forced to make a parachute jump; she is injured. Miss Faye, who was in love with Kane Richmond, Miss Bennett's fiance, forgets her feelings for him when she realizes that it was Miss Bennett he really loved. She accepts an offer for a lucrative position with an oil company, and leaves with Miss Davis and Charles Farrell, an expert mechanic, who had helped her out in times of need.

Frank Wead wrote the original screen play, Roy Del Ruth directed it, and Harry Joe Brown produced it. In the cast are Jane Wyman, Wally Vernon, Harry Davenport, and others.

Suitability, Class A.

**"Homicide Bureau" with Bruce Cabot
and Rita Hayworth**

(Columbia, February 15; time, 59 min.)

Fairly good program entertainment, suitable for theatres that cater to audiences who go in for racketeer melodramas. The story in itself is not new; however, it holds one's attention for it is developed logically, with fast and exciting action. An interesting angle is that which shows how police officers, through seemingly unimportant clues, work out their cases. Both the comedy and romantic interest are kept in the background, so as not to interfere with the action:—

Bruce Cabot, a detective with the police force, is annoyed at the restrictions placed upon his department by interfering civic organizations, who demanded that police eliminate brute force in their dealings with criminals; at the same time these same organizations were demanding that something be done about the crime wave. When another murder is committed, Cabot arrests Marc Lawrence, a gangster, who had been identified by the owner of the store where the murder had been committed. Again the civic organizations interfere, claiming that Cabot had arrested Lawrence only because he was a former convict. Lawrence is released and Cabot is taken off the case; but he decides to keep investigating it on his own. He finds out that Lawrence was connected with a gang of racketeers who were forcing junk dealers to sell their scrap metal to them, which they in turn were selling to foreign nations. Cabot is instrumental in saving from death his superior officer, who had been trapped by the racketeers. Lawrence and the gang confess to the murders and to their illegal business dealings with foreign nations. Cabot is praised by the civic organizations that had condemned him; he is promoted. He and Rita Hayworth, a chemist who worked for the police department, admit their love for each other.

Earle Snell wrote the screen play, and C. C. Coleman, Jr., directed it. In the cast are Richard Siske, Moroni Olsen, Norman Willis, and others.

The murders make it unsuitable for children. Class B.

**"Fisherman's Wharf" with Bobby Breen,
Leo Carrillo and Henry Armetta**

(RKO [1937-38], February 3; time, 71 min.)

This is one of Bobby Breen's best pictures. The story, although familiar, is a pleasant mixture of comedy and drama, with deep human appeal. The fact that Bobby is not made to carry the burden of the story entirely on his own shoulders is to the picture's benefit; as a matter of fact the burden falls on Leo Carrillo and Henry Armetta, and they both come through with excellent performances. Rosina Galli adds to the gaiety by her chatter. Bobby sings a few songs, which are cleverly interpolated so as not to interfere with the action. The picturesque San Francisco Bay makes an interesting background. For children, there is the added attraction of Slicker, the trained seal, who should delight them with his tricks:—

Motherless Bobby and his father (Carrillo), a fisherman, are great pals. During his school vacation, Bobby goes out fishing with his father and Armetta. Each day is ended with a delicious dinner at Carrillo's home, cooked by Miss Galli, his housekeeper. Armetta had been proposing to her for twenty years without any success. The peace of the household is disrupted when Carrillo's sister-in-law (Lee Patrick), a widow, arrives with her son (Tommy Bupp). Miss Galli is disgusted and leaves the house; she marries Armetta. By following the advice of Miss Patrick in business matters, Carrillo makes enemies of his former associates. Tommy makes life miserable for Bobby. He finally tells Bobby that he was an orphan and that Carrillo was not his real father. Bobby runs away. Carrillo's eyes are finally opened as to what was happening in his home. He orders Miss Patrick to leave with her son; he then goes after Bobby. He assures Bobby that even though he was only his adopted son he loved him as if he were his own. Everyone is happy again.

Bernard Schubert, Ian Hunter, and Herbert C. Lewis wrote the screen play; Bernard Vorhaus directed it, and Sol Lesser produced it. In the cast are George Humbert, Leon Belasco, and others.

Suitability, Class A.

**"Four Girls in White" with Florence Rice
and Alan Marshall**

(MGM, January 27; time, 73 min.)

Just fair program entertainment. The story is not particularly engrossing; as a matter of fact it is unpleasant in some respects, particularly in the characterization of the heroine. Not until the closing scenes does she redeem herself and win one's sympathy. Most of the action in the first half centers around hospital routine work; these scenes are neither novel nor exciting. The picture depends mainly on the closing scenes for its dramatic power; there nurses and doctors are shown assisting those who had been injured in a train wreck. These scenes have been handled realistically and with considerable excitement:—

Florence Rice and her sister (Ann Rutherford) enter a hospital to study nursing. Miss Rice's sole purpose in taking up that profession was to ensnare a rich husband—either a doctor or a patient. Alan Marshall, the chief surgeon, falls in love with her, and they see each other frequently. But she becomes annoyed at his devotion to his hospital duties and tries to induce him to give them up for a private practice; but he refuses. They quarrel and part. When Kent Taylor, a wealthy playboy, is brought to the hospital, Miss Rice manages to take care of him. He asks her and her sister to spend their vacation on his yacht, to which they agree. Taylor falls in love with Miss Rutherford, and Miss Rice goes back to the hospital. She is met with hostile glances on her return. A nurse (Mary Howard), who had lost her vacation because she had covered up for Miss Rice, who had violated a hospital rule, had been killed by an insane patient during the time when she really should have been away from the hospital. Miss Rice is heartbroken. She redeems herself when she risks her life at the scene of a train wreck to help those who were injured. She and Marshall are reconciled.

Nathalie Bucknall and Endre Bohem wrote the story, and Dorothy Yost, the screen play; S. Sylvan Simon directed it, and Nat Levine produced it. In the cast are Una Merkel, Buddy Ebsen, Jessie Ralph, Sara Haden, and others.

Suitability, Class A.

Universal 1937-38

"The Missing Guest," with Paul Kelly and Constance Moore, produced by Barney A. Sarecky and directed by John Rawlins, from a screen play by Charles Martin and Paul Perez: Fair-Poor.

"That Certain Age," with Deanna Durbin, Melvyn Douglas, and Jackie Cooper, produced by Joe Pasternak and directed by Edward Ludwig, from a screen play by Bruce Manning: Very Good.

Fifty pictures, including Westerns, were released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 1; Excellent-Good, 1; Very Good, 1; Very Good-Good, 3; Very Good-Fair, 1; Good-Fair, 7; Good-Poor, 1; Fair, 15; Fair-Poor, 19; Poor, 1.

Thirty-three pictures, excluding Westerns, were released during the 1936-37 season. They were rated as follows:

Excellent, 1; Excellent-Very Good, 1; Very Good-Good, 1; Good, 2; Good-Fair, 3; Fair, 13; Fair-Poor, 12.

1938-39

"Dark Rapture," with native cast, produced by Armand Denis and Leila Roosevelt and directed by Armand Denis: Good-Poor.

"Freshman Year," with Constance Moore and William Lundigan, produced by George R. Bilson and directed by Frank MacDonald, from a screen play by Charles Grayson: Fair.

"Personal Secretary," with William Gargan and Joy Hodges, produced by Max H. Golden and directed by Otis Garrett, from a screen play by Robert Lively, Betty Laidlaw, and Charles Grayson: Fair-Poor.

"Black Bandit," with Bob Baker and Marjorie Reynolds, produced by Trem Carr and directed by George Waggner, from a screen play by Joseph West: Fair.

"Road to Reno," with Randolph Scott, Hope Hampton, and Helen Broderick, produced by Edmund Grainger and directed by S. Sylvan Simon, from a screen play by Roy Chansler and Adele Comandini: Fair-Poor.

"Youth Takes a Fling," with Joel McCrea and Andrea Leeds, produced by Joe Pasternak and directed by Archie Mayo, from a screen play by Myles Connolly and Tom Reed: Good-Fair.

"Swing That Cheer," with Robert Wilcox, Tom Brown, and Constance Moore, produced by Max H. Golden and directed by David Schuster, from a screen play by Charles Grayson and Lee Loeb: Fair.

"Guilty Trail," with Bob Baker and Marjorie Reynolds, produced by Trem Carr and directed by George Waggner, from a screen play by Joseph West: Fair-Poor.

"Service DeLuxe," with Constance Bennett, Charlie Ruggles and Vincent Price, produced by Edmund Grainger and directed by Rowland V. Lee, from a screen play by Gertrude Purcell and Leonard Spigelglass: Good-Fair.

"The Storm," with Charles Bickford, Tom Brown, Preston Foster, and Nan Grey, produced by Ken Goldsmith and directed by Harold Young, from a screen play by Daniel Moore, Hugh King, and Theodore Reeves: Good-Fair.

"The Last Express," with Kent Taylor and Dorothea Kent, produced by Irving Starr and di-

"Exposed," with Glenda Farrell and Otto Kruger, produced by Max H. Golden and directed by Harold Schuster, from a screen play by Charles Kaufman and Franklin Coen: Fair.

"Prairie Justice," with Bob Baker and Dorothy Fay, produced by Trem Carr and directed by George Waggner, from a screen play by Joseph West: Fair-Poor.

"His Exciting Night," with Charles Ruggles, Richard Lane, and Ona Munson, produced by Ken Goldsmith and directed by Gus Meins, from a screen play by Pat C. Flice, Edward Eliscu and Morton Grant: Fair.

Fourteen pictures have already been released. Grouping the pictures of the different ratings from the beginning of the season, we get these results:

Good-Fair, 3; Good-Poor, 1; Fair, 6; Fair-Poor, 4.

The first fourteen pictures in the 1937-38 season were rated as follows:

Excellent-Very Good, 1; Good-Fair, 2; Fair, 4; Fair-Poor, 6; Poor, 1.

Warner Bros. 1937-38

"Boy Meets Girl," with James Cagney, Pat O'Brien, and Marie Wilson, produced by Sam Bischoff and directed by Lloyd Bacon, from a screen play by Bella and Samuel Spewack: Fair-Poor.

Twenty-seven pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get these results:

Excellent-Very Good, 1; Very Good-Good, 5; Good, 1; Good-Fair, 5; Good-Poor, 6; Fair, 2; Fair-Poor, 7.

Twenty-seven pictures were released during the 1936-37 season. They were rated as follows:

Very Good, 1; Very Good-Good, 3; Very Good-Poor, 1; Good, 3; Good-Fair, 6; Fair, 10; Fair-Poor, 3.

1938-39

"Four's a Crowd," with Errol Flynn, Rosalind Russell, Olivia DeHavilland, and Patric Knowles, produced by David Lewis and directed by Michael Curtiz, from a screen play by Casey Robinson and Sig Herzig: Very Good-Good.

"Valley of the Giants," with Wayne Morris, Claire Trevor, and Charles Bickford, produced by Lou Edelman and directed by William Keighley, from a screen play by Seton I. Miller and Michael Fessier: Good.

"The Sisters," with Bette Davis and Errol Flynn, produced by David Lewis and directed by Anatole Litvak, from a screen play by William Krims: Very Good-Good.

"Hard to Get," with Dick Powell and Olivia DeHavilland, produced by Sam Bischoff and directed by Ray Enright, from a screen play by Richard Macauley, Jerry Wald, and Maurice Leo: Good-Fair.

"Torchy Gets Her Man," with Glenda Farrell and Barton MacLane, produced by Bryan Foy and directed by William Beaudine, from a screen play by Albert DeMond: Good-Fair.

Five pictures have so far been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Very Good-Good, 2; Good, 1; Good-Fair, 2.

The first five pictures in the 1937-38 season were rated as follows:

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No. 7

A SWEEPING COURT VICTORY

On Monday, this week, the U. S. Supreme Court rendered a decision upholding the decision of the Dallas District Court in the case of *United States vs. Interstate Circuit et al.*

The case is now so old that many of you have, no doubt, forgotten its details; a recapitulation of the facts should, therefore, prove helpful.

In the spring of 1937, the Department of Justice brought suit in the Federal District Court for the Northern District (Dallas) of Texas against Interstate Circuit, Inc., and Texas Consolidated Theatres, Inc., which companies operate more than one hundred theatres in that territory, seeking to have declared "unlawful and void" the provisions in the license agreements between distributors and subsequent-run exhibitors, which agreements restricted the prices of admission and the right to exhibit two features on the same bill; the suit sought also to enjoin such distributors from inserting in future contracts similar provisions.

The distributors, who were made co-defendants, were: Columbia, MGM, Paramount, RKO, Twentieth Century-Fox, United Artists, Universal, and Vitagraph.

In the suit the Government charged that the aforementioned circuits had, for several years, a virtual monopoly in first-run exhibition in some Texas towns, while in others they had been in active competition with subsequent-run independent exhibitors; and that these circuits demanded of the aforementioned distributors that, before selling pictures to subsequent-run exhibitor competitors, they compel such exhibitors to sign an agreement to charge a minimum admission price of 25c and to refrain from showing two features on the same bill. The government charged that all these acts constituted a "combination, conspiracy and agreement to restrain trade or commerce in motion picture films and to monopolize and attempt to monopolize their exhibition."

Presiding Judge William H. Atwell, after a trial, granted the relief the Government sought, setting down the reasons for his decision. Such decision was, in the opinion of competent legal authority, noteworthy; it showed that Judge Atwell had a thorough comprehension of the problems involved in the distribution as well as exhibition of motion pictures.

Conceding the fact that the copyright owner of motion picture films has the right to dispose of such films as he pleases, Judge Atwell remarked as follows: "This well-defined right, however, will not justify his agreeing or combining with another person in order to deprive a third person of a complete freedom of contract. The copyright statute and the anti-trust statute are both in effect and vitally necessary."

In order to explain clearly what he meant by this language, he made the further remarks: "The owner of the copyrighted article may contract with the exhibitor, without the intervention of any third mind, for full and free protection, both as to price and manner of use, but when the outside mind, with an interest to serve, steps into the picture,—the contracting room—and interjects, persuades and coerces the copyright owner to join with it in its protection, as against the party to whom the copyright holder is selling or contracting, then and in that event there are two or more persons engaged on the side of the copyright holder, when the law gives only one privileges or immunities. Such a unity of minds, if it be in restraint of interstate commerce, is illegal. The copyright privileges do not save it from illegality.

"The sharp issue—the battleground—of this case, is whether the respondents conspired together to bring about the fixing of the minimum 25c charge by the subsequent exhibitor and the destruction of the practice of double featuring."

Judge Atwell concluded that the existence of a conspiracy and agreement among the defendants was inescapable.

The producers appealed, of course, from Judge Atwell's decision and when shortly afterwards the U. S. Supreme Court remanded the case of the District Court of Texas for findings of fact and law, they heralded this fact with blaring trumpets, leading the exhibitors to believe that they had won a victory. But the latter part of May, 1938, Judge Atwell, in accordance with the U. S. Supreme Court's recommendation, made his formal findings. These were so sweeping that the master-strategists of the producers were, no doubt, shocked. At that time HARRISON'S REPORTS felt that the producers had nothing to gain by appealing the case to the U. S. Supreme Court; but they did appeal it, and now the highest court in the land comes forward and upholds the lower court in every particular.

Justice Stone, who read the majority opinion last Monday, characterized the restrictions of the defendants "harsh and arbitrary" and said that a competition-suppressing agreement is not made any less illegal because the article it covers is copyrighted. "The fact that the restraint is made easier or more effective by making the copyright subservient to the contract does not relieve it of illegality," the Justice stated further.

Justice Stone concluded that "the conspiracy and each contract between Interstate and the distributors . . . are violations of the Sherman Act."

In sending news of the decision to his paper, the Washington correspondent of the New York *Herald Tribune* said partly as follows:

"The decision, hailed by the Department of Justice
(Continued on last page)

**"Beauty for the Asking" with Lucille Ball,
Patrick Knowles and Frieda Inescort**

(RKO, Feb. 24; time, 67½ min.)

A fair program entertainment. The story itself is a routine triangle drama involving characters who are not particularly sympathetic. The picture, however, has a good selling point for women—that of the beauty parlor background, showing the methods employed to make women attractive. Women will be inspired to go out and try the same things for themselves when they see what it does to one of the characters, who is changed from an unattractive woman to one of poise and beauty. The picture, therefore, can be exploited as to that angle:—

Lucille Ball, who worked in a beauty parlor, is jilted by Patrick Knowles, who marries wealthy Frieda Inescort. Miss Ball, who had perfected a new kind of cold cream, induces Donald Woods, an advertising expert, to handle the product for her. Miss Inescort becomes interested in the product and invests enough money to get the business started; Knowles becomes an executive in the firm. The business grows in leaps and bounds. But Miss Ball, who still loved Knowles, is made unhappy by his presence. Woods, who loved her, knows that Knowles was not worthy of her love. Eventually Miss Ball, unable to resist Knowles' attentions any longer, confesses her love for him. She goes to see Miss Inescort, who agrees to give him up. But when Knowles learns that Miss Ball had agreed to turn over to Miss Inescort both hers and Knowles' holdings in the firm, he shows his true character by jilting her again. But Miss Inescort, who had been warned by Miss Ball, orders Knowles out of her home. She later divorces him, and she and Miss Ball become good friends and business associates. After a trip to Europe, Miss Ball returns to New York; she then accepts Woods' marriage proposal.

Edmund L. Hartmann wrote the story, and Doris Anderson and Paul Jarrico, the screen play; Glenn Tryon directed it, and B. P. Fineman produced it. In the cast are Inez Courtney, Leona Maricle, Frances Mercer, Whitney Bourne, and others.

Suitability, Class A.

**"Made for Each Other" with Carole
Lombard and James Stewart**

(United Artists, Feb. 10; time, 94 min.)

Excellent entertainment for the masses. It is a delightful combination of comedy and drama, with deep human appeal. Although the story is simple, it is so true to life, that audiences will chuckle with delight at some of the situations, comparing them with events in their own lives. A few situations bring tears to the eyes, and others provoke hearty laughter. The performances, from the stars down to the smallest bit part, are delightful:—

After a short acquaintanceship, Carole Lombard and James Stewart, a young lawyer, marry. His mother (Lucille Watson) is shocked at the news, but pretends to be a good sport about it; eventually she makes her home with the young couple. Her interference and nagging infuriate Miss Lombard; but she says nothing, for she does not want to make Stewart unhappy. Stewart, who had been expecting to be made a junior member of his law firm, is keenly disappointed when the designation is given to another man. When their baby is born, Miss Lombard pleads with Stewart to assert himself and to ask Charles Coburn, the senior member of the firm, for an increase; but on the day Stewart decides to do this, Coburn informs him that business conditions made it necessary for him to decrease Stewart's salary. Stewart is miserable—bills pile up, Miss Lombard is compelled to do her own housework, and he cannot afford to give her any luxuries. He tells her that in fairness to her they should separate. But that very night their baby becomes seriously ill with pneumonia. Stewart rushes to Coburn for help in obtaining a serum needed to save the child's life. Coburn gladly advances \$5,000 for the serum, which is flown through a blizzard by a daring aviator (Eddie Quillan). The baby recovers. And with his recovery everything is adjusted; Stewart is made a partner in the firm with a substantial increase, and every one is happy.

The plot was suggested by a story by Rose Franken. Jo Swerling wrote the screen play, John Cromwell directed it, and David O. Selznick produced it. In the cast are Alma Kruger, Ruth Weston, Donald Briggs, Louise Beavers, and others.

Suitability, Class A.

**"Woman Doctor" with Frieda Inescort,
Henry Wilcoxon, Sybil Jason and
Claire Dodd**

(Republic, Feb. 6; time, 65 min.)

A moderately entertaining program triangle drama, with an appeal to women because of the mother love angle. The production and performances are superior to the story values, for the plot itself is familiar and lacks novelty in development. On occasion, situations that were meant to be dramatic fail to impress the spectator because they are so far-fetched. Frieda Inescort, whose actions throughout are commendable, is the only sympathetic character; Henry Wilcoxon, the husband, is a weakling; Claire Dodd, the other woman, is a scheming person, and even the actions of the child (Sybil Jason), are at times unappealing.

In the development of the plot, Miss Inescort, a brilliant surgeon, is heartbroken when she realizes that her devotion to her profession had turned her husband (Wilcoxon) from her to the arms of another woman (Miss Dodd). She agrees to a divorce but insists that their child (Sybil Jason) stay with her; she arranges to give up her career to devote her time to her child. But Sybil hates her mother because, in line with her duty, she had refused to treat Sybil's injured dog at the hospital, after which the dog had died. Wilcoxon, while visiting Sybil one day during her mother's absence, notices that the child was unhappy and takes her to his country home. This annoys Miss Dodd. Just as Sybil was preparing to go out horseback riding with Miss Dodd, Miss Inescort arrives. In an effort to escape from her mother, Sybil rides away; she meets with an accident. Wilcoxon, in company with his wife and Miss Dodd, puts Sybil in his plane in order to rush to the hospital. Encountering a storm, he is unable to land, and Miss Inescort is compelled to operate in the moving plane. Sybil recovers. Wilcoxon realizes what a fool he had been; he becomes reconciled with Miss Inescort, insisting that she continue with her career.

Alice Altschuler and Miriam Geiger wrote the story, and Joseph M. March, the screen play; Sidney Salkow directed it, and Sol C. Siegel produced it. In the cast are Cora Witherspoon, Frank Reicher, Dickie Jones, and others.

Suitability, Class A.

**"The Three Musketeers" with Don Ameche,
The Ritz Brothers and Binnie Barnes**

(20th Century-Fox, Feb. 17; time, 72 min.)

This musical comedy version of the old melodrama shapes up as a fairly good mass entertainment. Although basically the plot is the same as in the two versions produced first by United Artists in 1921 and then by RKO in 1935, this one differs somewhat in that it is treated more as a comedy with music than as a swashbuckling melodrama. The familiarity of the plot naturally lessens one's interest in the outcome, and on occasion the action lags. But each time the Ritz Brothers appear one's interest is revived; they have been given good material and make the most of it, provoking hearty laughter by their antics. Don Ameche makes an appealing D'Artagnan; he handles the romance and musical interludes well:—

D'Artagnan, learning from Constance, the Queen's attendant (Pauline Moore) with whom he was in love, that the Queen (Gloria Stuart) would be disgraced unless she could get back an emerald brooch which she had given to the Duke of Buckingham as a token of her esteem, and which the King had ordered her to wear at a banquet, decides to help her. He enlists the aid of three bar room attendants (The Ritz Brothers), mistaking them for Musketeers. Cardinal Richelieu and DeRocheport, desiring to disgrace the Queen, send Lady deWinter (Binnie Barnes) to get the brooch from the Duke before D'Artagnan could reach him. D'Artagnan, with the help of his three Musketeers, takes the brooch from her. After many exciting encounters with the Cardinal's men, during which his life is endangered, D'Artagnan manages to outwit them and to gain admittance to the palace. He gives the brooch to Constance, who in turn gives it to the Queen just before her entry into the main ballroom. Constance eventually marries D'Artagnan.

The plot was taken from the Alexander Dumas novel; M. M. Musselman, William A. Drake, and Samuel Hellman wrote the screen play; Allan Dwan directed it, and Raymond Griffith produced it. In the cast are Joseph Schildkraut, John Carradine, Lionel Atwill, Miles Mander, and others.

Suitability, Class A.

**"Convict's Code" with Robert Kent,
Anne Nagel and Sidney Blackmer**

(Monogram, Jan. 18; time, 63 min.)

A fair program melodrama. The story is not particularly novel; yet it holds one's attention fairly well because of the sympathy one feels for the hero (Robert Kent), who had been framed on a murder charge and sent to prison. Kent's efforts to prove his innocence, by finding out the identity of the man who had framed him, keep one in suspense because of the danger to him. The action towards the end is fairly exciting:—

As soon as he is paroled from prison, where he had been sent on a framed charge, Kent goes to see his friend (Ben Alexander), a newspaper reporter. He convinces him that he was innocent, and asks for his help in locating the witnesses who had testified falsely against him. But investigation shows that they had all left town. Sidney Blackmer gives Kent a position in his office; Kent is unaware that Blackmer was the man who had framed him and that he had purposely given him the position so as to keep an eye on him. Kent meets and falls in love with Blackmer's sister (Anne Nagel); she returns his love. When Kent eventually finds out the truth about Blackmer, he confronts him; but he tells him he would not say anything because of Miss Nagel; he then leaves. Blackmer sends his henchman out to kill Kent. But when Miss Nagel confesses her love for Kent, Blackmer rushes after his henchman. In a quarrel, he kills the man and is himself wounded. He confesses, thus clearing Kent's name. Miss Nagel and Kent marry.

John Krafft and John T. Neville wrote the screen play, Lambert Hillyer directed it, and E. B. Derr produced it. In the cast are Norman Willis, Victor Kilian, Maude Eburne, and others.

Not for children. Suitability, Class B.

**"King of the Turf" with Adolphe Menjou
and Roger Daniel**

(United Artists, Feb. 17; time, 87½ min.)

A fairly good program human interest melodrama set against a racetrack background. Although the story is familiar and sentimental in spots, it holds one's attention fairly well because of the good performances by Adolphe Menjou and Roger Daniel, a youngster. It is doubtful, however, if it will do better than average program business for it lacks players of strong box-office appeal; nor is the production out of the ordinary. Because of the racetrack angle, the picture directs its appeal mostly to men; as far as women are concerned, since the story lacks a romance, the only appeal to them would be the sacrifice the father makes for the sake of his son. The situation in the closing scenes, where he disillusiones the boy, touches one. The final race has been handled in an exciting way:—

Adolphe Menjou, a former wealthy race horse owner, who had lost all his money and taken to drink, is forced to hop a train to get to the opening of another track. In the car he meets young Daniel, a stable boy for a racing outfit. Daniel, who loved horses, is thrilled when he learns who Menjou was, for Menjou had been the trainer of a famous jockey whom he had idolized. The trainer, enraged when he finds another person in the car, throws both Menjou and Daniel out. Menjou is taken to a hospital, and Daniel pays his bills by working at odd jobs. On his release, they go to an auction sale, where they buy a horse for two dollars. With careful training, Menjou develops the horse into a good racer and Daniel into a good jockey. Daniel wins every race; once again Menjou is on the top. But he is shocked, when he receives a visit from his former wife (Dolores Costello), who had since remarried, to learn that Daniel was his own son, who had run away from home. She pleads with him to send the boy back, but Menjou knows he would have to do something drastic for Daniel adored him, without even knowing of their relationship. In Daniel's presence, he enters into a scheme with Alan Dinehart, a bookmaker, to throw the race; Daniel, who hated crookedness, is heartbroken when Menjou orders him to throw the race. Unable to follow Menjou's instructions, he races and wins. Menjou, at the end of the race, forces himself to slap the boy, thereby completely disillusioning him. Daniel goes back home. Dinehart, even though he had lost a fortune, cannot help feeling sorry for Menjou.

George Bruce wrote the original screen play; Alfred E. Green directed it, and Edward Small produced it. In the cast are Walter Abel, William Demarest, Harold Huber, and others.

Suitability, Class A.

**"Honolulu" with Robert Young, Eleanor
Powell, George Burns and Gracie Allen**

(MGM, February 3; time, 83 min.)

Good mass entertainment. Although not a big picture, it has been given a pretty lavish production; in addition, it offers comedy, music, romance, and dancing of the type to appeal to most picture-goers. The story is familiar; one overlooks this, however, for the performances are engaging and the plot developments amusing. Gracie Allen is particularly good; each time she appears she brightens things up considerably, provoking hearty laughter by the things she says. Eleanor Powell does four dances, the best being her imitation of Bill Robinson in his famous staircase tap routine:—

Robert Young, a famous movie star, is tired of being pursued by crowds, and longs for a rest. His chance comes when he meets a young man, a Hawaiian plantation owner, (also played by Young) who looked exactly like him. He induces the plantation owner to change places with him—the plantation owner to go to New York and make personal appearances, and he, the actor, to go to Hawaii where he would pose as the plantation owner. On the boat to Hawaii Young meets and falls in love with Miss Powell, a dancer. But once he lands in Hawaii complications arise, for he is greeted by the plantation owner's sweetheart (Rita Johnson) and her father (Clarence Kolb). Miss Johnson, who had been hesitant about marrying the plantation owner, notices a marked difference in the way he kissed her and decides to marry him. This puts Young in an embarrassing position; although he tells Miss Powell the truth, she refuses to believe him. The plantation owner, who had been in a hospital because of injuries he had suffered from enthusiastic crowds, arrives in Honolulu on the day of his supposed wedding to Miss Johnson. He changes places with the actor and goes through with the ceremony. Young then convinces Miss Powell that he loved her, and they plan to marry.

Herbert Fields and Frank Partos wrote the original story and screen play; Edward Buzzell directed it, and Jack Cummings produced it. In the cast are Jo Ann Sayers, Ann Morris, Willie Fung, Cliff Clark, and others.

Suitability, Class A.

**"One Third of a Nation" with Sylvia Sidney
and Leif Erikson**

(Paramount, Feb. 24; time, 75 min.)

This may be powerful propaganda in favor of slum clearance, but it lacks entertainment values. No one will disagree with the theory it presents for consideration—that slum districts are a menace to civilization. The fault lies in the manner in which it presents it, for it resorts to preaching to get its message over. Filmed against the sordid background of slum tenements inhabited by poverty-stricken families, the picture tends to depress the spectator. Even the romance lacks appeal, for it is unbelievable. The one bright spot comes in the end, when the movement to demolish slums is started by one landlord:—

While driving through the crowded slum tenement district with a friend, Leif Erikson is stopped because of a fire in one of the houses. He is shocked when he realizes that several persons had died because the house was a fire trap. A young boy (Sidney Lumet) is injured in trying to escape by means of a broken fire-escape. The boy's sister (Sylvia Sidney) asks for Erikson's help in getting her brother to the hospital; Erikson rushes her there. He promises to pay the hospital bills and begs Miss Sidney not to worry. The doctors inform them that Lumet would be crippled for life. When Erikson learns that he and his sister owned the block of tenements where the fire had occurred, he is ashamed, and insists on doing something about it. But the manager of his estate laughs at him. Miss Sidney and Erikson become good friends. She tells him of her dreams that some day the slums would be demolished and decent homes built in their stead. Erikson is fired with the idea to tear down his old houses. But his sister opposes him and threatens to take the matter to court and to embarrass Miss Sidney. Lumet, who imagined he could hear the house talk to him, sets fire to it one night; it burns to the ground and he dies. But his death is not in vain, for Erikson's sister finally sees the light. Arm in arm Erikson and Miss Sidney watch the demolition of the old houses.

The plot was adapted from the play by Arthur Arent; Oliver H. P. Garrett wrote the screen play, Dudley Murphy directed it, and Harold Orlow produced it. In the cast are Myron McCormick, Muriel Hutchinson, Hiram Sherman, and others.

Too depressing for children. Adult fare. Class B.

tice as one of the most significant in the history of anti-trust laws, upheld an anti-trust decree issued by a special three-judge, northern Texas Federal Court against eight major distributors and Interstate Circuit, Inc., and Texas Consolidated Theatres, Inc., motion-picture theatre chains. . . .

"While the decision applies only to Texas, Solicitor General Robert H. Jackson said that it was a blow against monopolies and reopened the controversial subject of the rights of copyright or patent holders in as much as motion pictures are copyrighted."

For a long time the producers, on advice of their legal talents, were riding roughshod over the exhibitors on the ground that, being the owners of copyright, they had the right to do anything they wanted with their films; but the highest court of the land now says, in effect, that the advice of these lawyers was wrong.

HIGH TIME TO CUT THE STRINGS

For a long time the motion picture producers have been criticized for refusing to treat with any subject that might arouse the temperamental nature of foreign dictators. Frequently scripts, fully adequate to be translated into good motion pictures, have been either discarded or so completely altered as to take every spark of life out of them; and all for fear of what might happen to the producer's market in the dictatorship countries.

Now comes the announcement that Hollywood has withdrawn from the Italian and German countries, although it might be more accurate to say that it had been "kicked out" of these markets. In Spain, with the victory of General Franco at Barcelona, his government concluded a so-called "cultural treaty" with Germany and Italy, which provides, among other things, for "a general system of trading music, motion picture and radio programs," which means that the Spanish market is virtually closed to American motion pictures.

And Japan is now completing a set of regulations under which it will be almost impossible for American films to be shown in that country.

With the excuse that they are trying to protect their foreign markets no longer of any force, the producers have before them a great opportunity of demonstrating what they can do in the production of pictures unrestrained by the artificial strings attached to production by touchy, temperamental dictators.

HARRISON'S REPORTS ventures the prediction that, if the producers will make the most of the opportunity now before them, concentrating on the production of pictures without regard to the number of horns on the toes of each dictator, they will not only be rendering a service to democracy, but will also increase the number of better pictures that they will be giving to the movie-going public.

NORTH DAKOTA THEATRE DIVORCE LAW REPEALED

The North Dakota theatre-divorce law, which was passed in 1937, during the incumbency of Governor Langel, was repealed by the North Dakota Legislature last week. It now rests with Governor Moses whether the repeal will become effective or not.

The circumstances under which the repeal took place are significant, and HARRISON'S REPORTS predicts that the end of the story has not yet been told. Read what the February 14 issue of *Film Daily* partly says:

"... meanwhile there were complications regarding the peculiar circumstances under which the repeal measure flew through the N. D. House and Senate with claims it was adopted under misapprehensions. R. R. Scholl, majority leader in the house which is controlled by a Non-partisan league bloc, introduced a resolution asking the Governor to veto the measure 'because the House did not discover the true situation until after passing the bill under misapprehension of meaning and purpose.'

"The House Judiciary Committee yesterday recommended for passage the resolution of Scholl, asking Governor Moses to veto the divorcement repeal bill. Report was withheld, however, on Scholl's request.

"The repeal measure was adopted by the House Friday by a vote of 86 to 7, transmitted to the Senate, and there was adopted with a vote of 43 to 5 at 2 p.m., Saturday.

"But shortly after convening Saturday, the house voted 67 to 37 to reconsider the repeal bill. It failed, however, to notify the Senate of its action in the interim before the Senate adopted the bill.

"All of which, according to the legislature's leading parliamentarians, means that the repeal measure is passed beyond redemption and that its fate lies entirely in the hands of the Governor.

"This looks mighty peculiar to the chair but it looks as if we can't do anything about it,' was the declaration of Oscar Hagen, speaker of the House.

"Scholl contended a number of members of the House voted for the bill under the belief it represented a private fight between theatres in Bismarck and Mandan, towns separated by the Missouri river, and that they had no idea the divorcement act was involved. . . ."

Notice that, of the 86 members of the lower house who voted for the repeal, 67 voted the following day for reconsideration. (The repeal vote was 86 to 7; the reconsideration vote was 67 to 37.) In other words, if the 67 members, who are now asking for reconsideration, had known the "meaning and purpose" of the repeal bill, it is assumed that they would not have voted for it, and it would not have passed.

Notice also that the House majority leader Scholl, who introduced the resolution that requests the Governor to veto the bill, said that the members of the house—the 67 members, no doubt—did not discover the true situation until after the bill was passed under "misapprehension of meaning and purpose."

In view of the fact that so large a majority of the House members have petitioned Governor Moses to veto the bill, the Governor is certainly put into a peculiar position. Will he dare refuse to veto it? If he should not veto it, what will be his excuse?

Under the heading "Paramount Active In North Dakota For Repeal of Divorcement Law," printed in the February 4th issue, this paper acquainted the trade with the activities of Paramount in North Dakota against the Divorcement Law, and expressed the opinion that, if it should be successful, the U. S. Supreme Court may refuse to decide the question of the constitutionality of the law, in the appeal pending before it, on the ground that the question has become academic.

As said in the beginning of this article, the last word on the North Dakota Divorcement law may not have been spoken yet.

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Peggy and Partner—Columbia (See "Blondie")	186
Persons in Hiding—Paramount (70 min.)	18
Pirates of the Skies—Universal (61 min.)	11
Prairie Justice—Universal (57m.)	Not Reviewed
Prairie Moon—Republic (59m.)	Not Reviewed
Pride of the Navy—Republic (63 min.)	19
Rhythm of the Saddle—Republic (58m.)	Not Reviewed
Rio Grande—Columbia (59m.)	Not Reviewed

St. Louis Blues—Paramount (86 min.)	18
Skids—MGM (See "Burn 'Em Up O'Connor")	15
Smiling Along—20th Century-Fox (92 min.)	6
Son of Frankenstein—Universal (98 min.)	14
Stand Up and Fight—MGM (96 min.)	6
Starlight over Texas—Monogram (56m.)	Not Reviewed
Stranded in Paris—Paramount (See "Artists and Models Abroad")	194
Stranger from Arizona, The—Columbia (56m.)	Not Reviewed
Tailspin—20th Century-Fox (83½ min.)	23
They Made Me a Criminal—Warner Bros. (92 min.)	15
Tom Sawyer, Detective—Paramount (67 min.)	3
Topper Takes a Trip—United Artists (80 min.)	2
Torchy Blane in Chinatown—First National (57 min.)	19
Tough Kid—Monogram (59 min.)	6
Trade Winds—United Artists (93½ min.)	2
West of Santa Fe—Columbia (57m.)	Not Reviewed
Where the Buffalo Roam—Mono. (62m.)	Not Reviewed
Wings of the Navy—Warner Bros. (88½ min.)	14
Zaza—Paramount (84 min.)	7

RELEASE SCHEDULE FOR FEATURES Columbia Features

(729 Seventh Ave., New York, N. Y.)

9050 The Terror of Tiny Town—Midgets (63m.)	Dec. 1
9202 Rio Grande—Starrett (59m.)	Dec. 8
9022 The Strange Case of Dr. Mead—Holt	Dec. 15
9006 There's That Woman Again—Douglas-Bruce	Dec. 24
9015 Smashing the Spy Ring—Wray-Bellamy	Dec. 29
9035 Homicide Bureau—Cabot-Hayworth (re.)	Jan. 5
9203 The Thundering West—Starrett (58m.)	Jan. 12
9212 Frontiers of '49—All star west. (54½m.)	Jan. 19
9014 Lone Wolf's Spy Hunt (Lone Wolf's Daughter)—William-Lupino-Weidler	Jan. 27
9204 Texas Stampede—Starrett (57½m.)	Feb. 9
9038 North of Shanghai—Furness-Craig (re.)	Feb. 10
My Son is a Criminal—A. Baxter-J. Wells	Feb. 22
Lt Us Live—Fonda-O'Sullivan	Feb. 28
Romance of the Redwoods—Bickford-Parker	Mar. 2
Blondie Meets the Boss—Singleton-Lake	Mar. 8
9213 Lone Star Pioneers—All star west. (55m.)	Mar. 16
Whispering Enemies—J. Holt-D. Costello	Mar. 24
The Lady and the Mob—Bainter-Lupino	Apr. 3

First National Features

(321 W. 44th St., New York, N. Y.)

351 Angels With Dirty Facs—Cagney-O'Brien	Nov. 24
370 Comet Over Broadway—Francis-Hunter	Dec. 3
362 Heart of the North—Foran-Dickson	Dec. 10
359 Going Places—Powell-Louise-Huber	Dec. 31
371 Torchy Blane in Chinatown—Farrell	Feb. 4
372 Nancy Drew, Reporter—Granville-Thomas	Feb. 18
357 Yes, My Darling Daughter—P. Lane-Lynn	Feb. 25
Sweepstakes Winner—Wilson-Jenkins	Mar. 18
Blackwell's Island—Garfield-R. Lane	Mar. 25

Grand National Features

(50 Rockefeller Plaza, New York, N. Y.)

312 Cipher Bureau—L. Amcs—J. Woodbury	Nov. 4
345 The Sunset Murder Case—S. Rand (57m.)	Nov. 11
313 The Long Shot—Jones-Hunt (69m.)	Jan. 6
W1-1 Water Rustlers—Dorothy Page (54m.)	Jan. 6
W1-13 Trigger Pals—Jarrett-Powell (55m.)	Jan. 14
W1-2 Ride 'Em Cowgirl—Dorothy Page (52m.)	Jan. 20

("Exile Express," listed in the last Index as a January 20 release, has been postponed.)

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

- 917 A Christmas Carol—Owen-Kilburn.....Dec. 16
916 The Girl Downstairs—Gaal-Tone-Connolly...Dec. 23
910 Sweethearts—MacDonald-Eddy-F. Morgan...Dec. 30
918 Stand Up and Fight—Taylor-Beery-Rice.....Jan. 6
919 Burn 'Em Up O'Connor—O'Keefe-Parker.....Jan. 13
No release set forJan. 20
920 Idiot's Delight—Shearer-Gable (re.)Jan. 27
921 Four Girls in White—Rice-A. Marshall.....Jan. 27
922 Honolulu—E. Powell-Young-G. Allen-Burns..Feb. 3
923 The Adventures of Huckleberry Finn—
M. Rooney-W. ConnollyFeb. 10
924 Fast and Loose—Russell-MontgomeryFeb. 17
926 Let Freedom Ring—Eddy-Bruce-L. Barrymore..Feb. 24
925 The Ice Follies of 1939—Crawford-Stewart...Mar. 3

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

- 3851 Gun Packer—Jack Randall (49m.)Nov. 16
3818 Gang Bullets—Anne NagelNov. 23
3861 Song of the Buckaroo—Ritter (56m.)Nov. 23
3812 I Am a Criminal—J. CarrollDec. 14
3852 Wild Horse Canyon—Randall (50m.)Dec. 21
3819 Tough Kid—Frankie DarroDec. 28
3822 Convict's Code—Nagel-R. Kent (re.)Jan. 18
3853 Drifting Westward—Jack Randall (49m.)...Jan. 25
3815 Navy Secrets—Wray-Withers (re.)Feb. 1
3862 Sundown on the Prairie—Ritter (53m.) (re.)..Feb. 8
3828 Little Pal (The Healer)—ReissueFeb. 18
3821 Star Reporter—Hull-HuntFeb. 22
3820 Mystery of Mr. Wong—Boris KarloffMar. 1
3863 Rollin' Westward—Tex RitterMar. 1
Sky Pirate—Trent-YoungMar. 8
3854 Trigger Smith—RandallMar. 15

Paramount Features

(1501 Broadway, New York, N. Y.)

- 3817 Artists and Models Abroad—BennyDec. 30
3818 Disbarred—Patrick-Kruger (re.)Jan. 6
3819 Zaza—Colbert-Marshall-LahrJan. 13
3820 Ambush—Swarthout-Nolan-HenryJan. 20
3821 Paris Honey-moon—Crosby-GaalJan. 27
3822 St. Louis Blues—Nolan-LamourFeb. 3
3823 Persons in Hiding—Overman-NaishFeb. 10
3824 Boy Trouble—Ruggles-BolandFeb. 17
3825 One Third of a Nation—Sidney (re.)Feb. 24
3857 Sunset Trail—Boyd-Hayes (68m.)Feb. 24
3826 Cafe Society—Carroll-MacMurrayMar. 3
3853 The Beachcomber—LaughtonMar. 10
King of Chinatown—Wong-Tamiroff (re.)...Mar. 17
Hotel Imperial—Miranda-MillandMar. 24
Sudden Money—Ruggles-RambeauMar. 31
3858 Silver on the Sage—William BoydMar. 31

Republic Features

(1776 Broadway, New York, N. Y.)

- 852 Shine On Harvest Moon—Rogers-Hart (57m) Dec. 23
820 Federal Man Hunt—Livingston-TravisDec. 26
821 Fighting Thoroughbreds—Byrd-CarlisleJan. 6
809 Mysterious Miss X—Whalen-HartJan. 10
822 Pride of the Navy—Dunn-HudsonJan. 23
842 Home on the Prairie—Autry (59m.)Feb. 3
808 Woman Doctor—Inescort-Wilcoxon-Jason...Feb. 6

RKO Features

(1270 Sixth Ave., New York, N. Y.)

1937-38 Season

- 844 Fisherman's Wharf—Breen-CarrilloFeb. 3

1938-39 Season

- 910 Next Time I Marry—Ball-EllisonDec. 9
914 Pacific Liner—McLaglen-Morris-BarrieJan. 6
913 Great Man Votes—J. Barrymore-WeidlerJan. 13
982 Arizona Legion—George O'BrienJan. 20
911 Boy Slaves—Shirley-BaxterFeb. 10
912 Gunga Din—Grant-McLaglen-Fairbanks, Jr....Feb. 17
915 Beauty for the Asking—Ball-KnowlesFeb. 24

Twentieth Century-Fox Features

(444 W. 56th St., New York, N. Y.)

- 913 Suez—Power-Young-AnnabellaOct. 28
914 Always in Trouble—WithersNov. 4
915 Just Around the Corner—Temple.....Nov. 11
916 Sharpshooters—Donlevy-BariNov. 18
909 Submarine Patrol—Greene-KellyNov. 25
918 Road Demon—Arthur-Valerie-ArmettaDec. 2
924 Up the River—Martin-Brooks-FosterDec. 9
920 Down on the Farm—Jed ProutyDec. 16
917 Thanks for Everything—Menjou-OakieDec. 23
923 Kentucky—Young-Greene-BrennanDec. 30
922 While New York Sleeps—Whalen-Rogers...Jan. 6
8010 The Lady Vanishes—Lockwood-Redgrave...Jan. 6
928 Charlie Chan in Honolulu—Toler-Brooks...Jan. 13
926 Mr. Moto's Last Warning—Lorre-Cortez...Jan. 20
933 Smiling Along—Fields-Maguire-Livesey...Jan. 20
921 Jesse James—Power-Fonda-KellyJan. 27
929 The Arizona Wildcat—Withers-Carrillo...Feb. 3
925 Tail Spin—Faye-C. Bennett-Kelly-Farrell...Feb. 10
927 The Three Musketeers—Ameche-Ritz Bros...Feb. 17
931 Pardon Our Nerve—Bari-Gale-Whalen...Feb. 24
930 Wife Husband and Friend—Young-Baxter...Mar. 3
934 Inside Story—Whalen-J. Rogers-Chandler...Mar. 10
932 The Little Princess—Temple-Greene...Mar. 17
935 Everybody's Baby—Prouty-Deane-Byington...Mar. 24
936 The Hound of the Baskervilles—Greene-
Rathbone-Louise-BruceMar. 31

United Artists Features

(729 Seventh Ave., New York, N. Y.)

- The Young in Heart—Gaynor-Fairbanks, Jr.(re.)..Nov. 3
The Cowboy and the Lady—Cooper-OberonNov. 17
Trade Winds—March-J. Bennett-SothornDec. 22
The Duke of West Point—T. Brown-Hayward...Dec. 29
Topper Takes a Trip—C. Bennett-Young-Burke...Jan. 12
Made For Each Other—Lombard-J. Stewart...Feb. 10
King of the Turf—Menjou-D. Costello-Abel...Feb. 17
Stagecoach—Trevor-Wayne-Devine-Carradine...Mar. 3

Universal Features

(1250 Sixth Ave., New York, N. Y.)

- A3016 The Storm—Bickford-MacLane-GreyOct. 28
A3028 The Last Express—K. Taylor-D. KentOct. 28
A3032 Exposed—Farrell-KrugerNov. 4
A3053 Prairie Justice—Bob Baker (57 min.)Nov. 4
A3036 His Exciting Night—Ruggles-Munson...Nov. 11
A3042 Mars Attacks the World—(67½ min.)...Nov. 18
A3011 Little Tough Guys in Society—Boland...Nov. 25
A3035 Strange Faces—Kent-JenksDec. 2
A3022 Secrets of a Nurse—Lowe-MackDec. 9
A3054 Ghost Town Riders—Bob Baker (54m.)...Dec. 16
A3021 Swing Sister Swing—Murray-Downs-Kane..Dec. 16
A3015 Newsboys' Home—J. Cooper-W. Barrie...Dec. 23
A3027 The Last Warning—Foster-JenksJan. 6
A3004 Son of Frankenstein—Karloff-Rathbone...Jan. 13
A3055 Honor of the West—Bob Baker (58m.)Jan. 13
A3023 Gambling Ship—Mack-WilcoxJan. 20
A3033 Pirates of the Skies—K. TaylorFeb. 3
A3056 The Phantom Stage—Bob Baker (57m.)...Feb. 10
You Can't Cheat an Honest Man—Fields...Feb. 17
Society Smugglers—Foster-HerveyFeb. 24
Risky Business—G. Murphy-D. KentMar. 3
Three Smart Girls Grow Up—DurbinMar. 10

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

- 302 The Sisters—Flynn-Davis-LouiseOct. 15
310 Hard to Get—Powell-DeHavillandNov. 5
318 Torchy Gets Her Man—Farrell-MacLane...Nov. 12
319 Nancy Drew, Detective—Granville-Litel(re.)..Nov. 19
303 The Dawn Patrol—Flynn-Rathbone-Niven...Dec. 24
313 Devil's Island—Karloff-HarriganJan. 7
317 King of the Underworld—Bogart (re.)Jan. 14
314 Off the Record—O'Brien-BlondellJan. 21
307 They Made Me A Criminal—Garfield (re.)...Jan. 28
Wings of the Navy—Brent-deHavillandFeb. 11
321 The Adventures of Jane Arden—Towne...Mar. 4
The Oklahoma Kid—Cagney-Bogart-R. Lane..Mar. 11

SHORT SUBJECT RELEASE SCHEDULE

Columbia—One Reel

9802	Ski Rhythm—Sport Thrills (9½m.)	Nov. 4
9652	Community Sing No. 2—(10½m.)	Nov. 4
9551	Bermuda, Islands of Paradise—Tours (10½ min.)	Nov. 4
9752	Happy Birthday—Scrappys (6m.)	Nov. 17
9552	Province of Quebec (Provincial Quebec)—Tours (10½m.)	Nov. 18
9901	Washington Parade—Issue #1 (10m.)	Nov. 18
9853	Screen Snapshots No. 3—(9½m.)	Nov. 20
9504	Midnight Frolics—Color Rhapsody (7½m.)	Nov. 24
9653	Community Sing No. 3—(10½m.)	Dec. 2
9703	The Lone Mountie—Krazy Kat (6½m.)	Dec. 10
9854	Screen Snapshots No. 4—(9½m.)	Dec. 15
9505	The Kangaroo Kid—Color Rhapsody (7½m.)	Dec. 23
9803	King Vulture—Sport Thrills (10½m.)	Dec. 23
9654	Community Sing No. 4—(10½m.)	Dec. 30
9902	Washington Parade—Issue #2 (11m.)	Jan. 6
9855	Screen Snapshots No. 5—(9m.)	Jan. 6
9753	Scrappy's Added Attraction—Scrappys (6½m.)	Jan. 13
9961	A Night In a Music Hall—Music Hall Vanities (11m.)	Jan. 20
9506	Peaceful Neighbors—Color Rhap. (8m.)	Jan. 26
9804	Odd Sports (Get Ready Navy)—Sport Thrills (reset)	Jan. 27
9704	Krazy's Bear Tale—Krazy Kat	Jan. 27
9655	Community Sing No. 5—(9½m.)	Jan. 27
9553	Big Town Commuters—Tours	Feb. 3
9856	Screen Snapshots No. 6—(10m.)	Feb. 17
9507	The Gorilla Hunt—Color Rhapsody	Feb. 24
9805	Get Ready Navy—Sport Thrills	Feb. 24
9656	Community Sing No. 6	Feb. 24
9903	Washington Parade—Issue #3	Mar. 3
9657	Community Sing No. 7	Mar. 24

Columbia—Two Reels

9135	The Octopus Unmasked—Spider #15 (15m.)	Jan. 27
9181	Challenge in the Sky—Flying G-Men No. 1 (29m.)	Jan. 28
9182	Flight of the Condemned—G-men #2 (16m.)	Feb. 4
9429	Mutiny on the Body—All star com. (17½m.)	Feb. 10
9183	The Vulture's Nest—G-Men #3 (18m.)	Feb. 11
9184	The Falcon Strikes—G-Men #4	Feb. 18
9405	We Want Our Mummy—Stooges (16½m.)	Feb. 24
9185	Flight From Death—G-Men #5	Feb. 25
9186	Phantom of the Sky—G-Men #6	Mar. 4
9430	The Sap Takes a Rap—All star com. (16m.)	Mar. 10
9187	Trapped by Radio—G-Men #7	Mar. 11
9188	Midnight Watch—G-Men #8	Mar. 18
9431	Boom Goes the Groom—All star com. (17m.)	Mar. 24
9189	Wings of Death—G-Men #9	Mar. 25
9190	Flaming Wreckage—G-Men #10	Apr. 1

Metro-Goldwyn-Mayer—One Reel

1937-38 Season

W-692	The Captain's Christmas—Capt. Cartoon technicolor (8m.)	Dec. 17
W-693	Petunia Natural Park—Capt. cart. (9m.)	Jan. 14

(End of 1937-38 Season)

1938-39 Season

T-855	Singapore and Jahore—Traveltalk (9m.)	Dec. 31
M-875	The Great Heart—Miniatures (11m.)	Dec. 31
C-935	Alfalfa's Aunt—Our Gang	Jan. 7
S-904	Double Diving—Pete Smith (8m.)	Jan. 14
T-856	Ancient Egypt—Traveltalk	Jan. 21
K-922	New Roadways—Passing Parade (10m.)	Jan. 28
F-954	How To Sublet—Benchley (8m.)	Jan. 28
W-881	Seal Skinners—Cartoons (8m.)	Jan. 28
M-876	Ice Antics—Miniatures	Feb. 11
S-905	Heroes at Leisure—Pete Smith (10m.)	Feb. 11
T-857	Imperial Delhi—Traveltalks	Feb. 18
K-923	The Story of Alfred Nobel—Pass. Parade	Feb. 18
C-936	Tiny Troubles—Our Gang	Feb. 18

Metro-Goldwyn-Mayer—Two Reels

R-802	Once Over Lightly—Mus. (19m.)	Dec. 31
R-803	A Dream of Love—Mus. (17m.)	Jan. 28

Paramount—One Reel

V8-4	Raising Canines—Paragraphic (9½m.)	Nov. 11
E8-4	A Date to Skate—Popeye cart. (7m.)	Nov. 18
R8-5	Super-Athletes—Sportlight (9½m.)	Nov. 25
T8-4	On With the New—Betty Boop (6m.)	Dec. 2
A8-5	Hal Kemp and His Orch.—Head. (9m.)	Dec. 2
L8-3	Unusual Occupations #3—(10m.)	Dec. 2
K8-3	Costa Rica—Color Cruises (9m.)	Dec. 2
P8-5	Paramount Pictorial #5—(8½m.)	Dec. 9
V8-5	Oh Say, Can You Ski—Para. (10½m.)	Dec. 16
R8-6	Frolicking Frogs—Sport. (9½m.)	Dec. 23
T8-5	Pudgy in Thrills and Chills—B. B. (5½m.)	Dec. 23
E8-5	Cops Is Always Right—Popeye (7m.)	Dec. 30
C8-3	Always Kickin'—Color Classic (7m.)	Jan. 6
A8-6	A Song is Born—Headliner (9½m.)	Jan. 6
P8-6	Paramount Pictorial #6—(9m.)	Jan. 6
J8-3	Popular Science #3—(10m.)	Jan. 6
V8-6	The Unfinished Symphony—Para. (10m.)	Jan. 13
T8-6	My Friend the Monkey—B. Boop (6m.)	Jan. 20
R8-7	Two Boys and a Dog—Sport. (9½m.)	Jan. 20
E8-6	Customers Wanted—Popeye (7m.)	Jan. 27
K8-4	Land of Inca Memories—Color Cruise (9m.)	Jan. 27
A8-7	Music Through the Years—Head. (10m.)	Feb. 3
P8-7	Paramount Pictorial #7—(8½m.)	Feb. 3
L8-4	Unusual Occupations #4	Feb. 3
V8-7	That's Africa—Paragraphic (9m.)	Feb. 10
R8-8	Hold Your Breath—Sport. (9m.)	Feb. 17
T8-7	So Does An Automobile—Betty Boop	Feb. 17
E8-7	Leave Well Enough Alone—Popeye	Feb. 24

RKO—One Reel

94303	Bird Dogs—Sportscope (10m.)	Nov. 4
94603	Dude Ranch—Reelism (9m.)	Nov. 11
94204	Venetian Moonlight—Nu Atlas (11m.)	Nov. 25
94104	Ferdinand the Bull—Disney (8m.)	Nov. 25
94304	Blue Grass—Sportscope (10m.)	Dec. 2
94105	Merbabies—Disney (9m.)	Dec. 9
94604	Newsreel—Reelism (10m.)	Dec. 9
94205	Cafe Rendezvous—Nu Atlas (10m.)	Dec. 23
94106	Mother Goose Goes Hollywood—Disney (8 min.)	Dec. 23
94305	On the Wing—Sportscope (10m.)	Dec. 30
94107	Donald's Lucky Day—Disney (8m.)	Jan. 13
94206	Tropical Topics—NuAtlas (10m.)	Jan. 20
94306	Bow String—Sportscope (9m.)	Jan. 27
94108	Society Dog Show—Disney (8m.)	Feb. 3
94605	Pilot Boat—Reelism (9m.)	Feb. 3
94060	Gold—Reelism	Feb. 10
94207	Readin' Ritin' and Rhythm—NuAtlas (10m.)	Feb. 17
94307	Not Yet Titled—Sportscope	Feb. 24
94109	Practical Pig—Disney (8m.)	Feb. 24

RKO—Two Reels

93502	Prairie Papas—Ray Whitley (18m.)	Dec. 16
93105	March of Time—(18m.)	Dec. 23
93602	Romancing Along—Headliner (21m.)	Dec. 30
93703	Crime Rave—Leon Errol (18m.)	Jan. 13
93106	March of Time—(18m.)	Jan. 20
93403	Maid to Order—E. Kennedy (18m.)	Jan. 27
93202	Plumb Crazy—Radio Flash (16m.)	Feb. 3
93107	March of Time	Feb. 17
93603	Swing Vacation—Headliner (19m.)	Feb. 24

Twentieth Century-Fox—One Reel

9524	Gandy Goose in Doomsday—T.Toon (6½m.)	Dec. 16
9602	Fashion Forecasts—(9½m.)	Dec. 23
9507	Gandy Goose in the Frame Up—T.T. (6½m.)	Dec. 30
9302	Shooting For Par—Sports (10½m.)	Jan. 6
9525	The Owl and the Pussycat—T.Toon (6½m.)	Jan. 13
9403	What Every Inventor Should Know—Lew Lehr (11m.)	Jan. 20
9508	One Gun Gary in Nick of Time—T.T. (7m.)	Jan. 27
9103	Isle of Pleasure—Lowell Thomas (10½m.)	Feb. 3
9526	The Three Bears—T. Toon (6½m.)	Feb. 10
9104	The Viking Trail—Lowell Thomas (10½m.)	Feb. 17
9509	Frozen Feet—T. Toon (7m.)	Feb. 24
9303	Hunting Dogs—Sports	Mar. 3
9510	Gandy Goose in G Man Jitters—T. Toon	Mar. 10
9105	Mystic Siam—Lowell Thomas (10m.)	Mar. 17
9527	The Nutty Network—T. Toon	Mar. 24
9603	Fashion Forecasts No. 3	Mar. 31

Universal—One Reel

A3366 Stranger Than Fiction #55—(9½m.)Oct. 10
 A3242 Rabbit Hunt—Lantz cartoon (7m.)Oct. 17
 A3243 The Sailor Mouse—Lantz Car. (7m.)Nov. 7
 A3354 Going Places With Thomas #56—(10m.)...Nov. 14
 A3367 Stranger Than Fiction #56—(9m.)Nov. 21
 A3244 Disobedient Mouse—Lantz Cart. (8m.) ...Nov. 28
 A3355 Going Places With Thomas #57—(8½m.)...Nov. 28
 A3368 Stranger Than Fiction #57—(9m.)Dec. 5
 A3245 Baby Kittens—Lantz cart. (8m.)Dec. 19
 A3356 Going Places With Thomas #58—(9m.) ...Dec. 26
 A3246 Little Blue Blackbird—Lantz cart. (7m.)...Dec. 26
 A3369 Stranger Than Fiction #58—(9m.)Jan. 2
 A3247 (3248) Soup to Mutts (Crack Pot Cruise)—
 Lantz cartoon (7m.)Jan. 9
 A3248 I'm Just a Jitterbug—Lantz cart. (7m.) ...Jan. 23
 A3557 Going Places With Thomas #59—(9m) (r.) Jan. 30
 A3370 Stranger Than Fiction #59—(9m.)Feb. 6
 A3249 Magic Beans—Lantz cart. (7m.)Feb. 13
 A3358 Going Places With Thomas #60—(10m.)...Feb. 20
 A3371 Stranger Than Fiction #60—(9m.)Mar. 6
 A3359 Going Places With Thomas #61—(9m.) ...Mar. 13

Universal—Two Reels

A3225 Music and Models—Mentone (18m.)Dec. 14
 A3690 The False Trail—Barry #10 (20m.)Dec. 20
 A3691 Heavy Odds—Barry #11 (19m.)Dec. 27
 A3692 The Enemy Within—Barry #12 (19m.)Jan. 3
 A3693 Mission of Mercy—Barry #13 (20m.)Jan. 10
 A3226 Nautical Knights—Mentone (19m.)Jan. 11
 A3781 Death Rides the Air—Scouts to the Rescue
 #1 (20 min.)Jan. 17
 A3782 Avalanche of Doom—Scouts #2 (22m.)Jan. 24
 A3783 Trapped by Indians—Scouts #3 (21m.)Jan. 31
 A3784 River of Doom—Scouts #4 (20m.)Feb. 7
 A3785 Descending Doom—Scouts #5 (18m.)Feb. 14
 A3227 Wild & Bully—Mentone (19m.)Feb. 15
 A3786 Ghost Town Menace—Scouts #6 (20m.) ...Feb. 21
 A3787 Destroyed by Dynamite—Scouts #7 (19m.) Feb. 28
 A3788 Thundering Hoofs—Scouts #8 (17m.)Mar. 7
 A3789 The Fire God Strikes—Scouts #9 (18m.) Mar. 14
 A3228 Bank Notes—Mentone (19m.)Mar. 15

Vitaphone—One Reel

4804 The Daffy Doc—Looney Tunes (7m.)Nov. 26
 4604 Nature's Mimics—Color Parade (10m.)Dec. 3
 4506 Daffy Duck in Hollywood—Mer. Mel. (8m.) Dec. 3
 4705 Happy Felton & Orch.—Mel. Mast. (10m.) Dec. 3
 4304 Treacherous Waters—True Adv. (10m.)...Dec. 10
 4904 Robbin' Good—Vit. Varieties (10m.)Dec. 10
 4805 Porky the Gob—Looney Tunes (8m.)Dec. 17
 4507 Count Me Out—Merrie Melodies (7m.)Dec. 17
 4706 Dave Apollon & Orch.—Mel. Mast. (11m.) Dec. 24
 4508 The Mice Will Play—Mer. Mel. (7m.)Dec. 31
 4605 Mechanix Illustrated #2—Col. Par. (10m) (r.) Jan. 7
 4305 Human Bomb—True Adv. (11m.)Jan. 7
 4707 Clyde Lucas & Orch.—Mel. Mast. (10m.) ...Jan. 7
 4806 The Lone Stranger & Porky—L. T. (7m.)Jan. 7
 4509 Doggone Modern—Mer. Mel. (7m.)Jan. 14
 4905 Ski Girl—Varieties (8m.)Jan. 14
 4708 Blue Barron & Orch.—Mel. Mast. (8m.)Jan. 21
 4510 Ham-ateur Night—Mer. Mel. (8m.)Jan. 28
 4807 It's An Ill Wind—L. Tunes (7m.)Jan. 28
 4606 Points on Pointers—Color Par. (9m.)Jan. 28
 4306 High Peril—True Adventures (9m.)Feb. 4
 4709 Jerry Livingston & Orch.—Mel. Mast. (10m.) Feb. 4
 4511 Robinhood Makes Good—Mer. Mel. (8m.) ...Feb. 11
 4808 Porky's Tire Trouble—L. Tunes (7m.)Feb. 18
 4906 Gadgets—Varieties (11m.)Feb. 18
 4403 The Master's Touch—Tech. SpecialFeb. 18
 4607 Mechanix Illustrated No. 3—Color Par.Feb. 25
 4512 Goldrush Daze—Mer. Melodies (7m.)Feb. 25
 4710 Russ Morgan & Orch.—Mel. MastersFeb. 25

Vitaphone—Two Reels

4003 Swingtime in the Movies—Tech. Pro. (20m.) Jan. 7
 4021 Sophomore Swing—Bway. Brev. (18m.)Jan. 21
 4019 Small Town Idol—Bway. Brev. (16m.)Feb. 4
 4004 Lincoln in the White House—Tech. (21m.) Feb. 11
 4020 Sundae Serenade—Bway. Brev. (17m.)Feb. 25
 (4018 "Spare Parts," listed in the last Index as a January
 21 release, has been postponed.)

NEWSWEEKLY NEW YORK RELEASE DATES

Universal

745 Wednesday ..Feb. 15
 746 SaturdayFeb. 18
 747 Wednesday ..Feb. 22
 748 SaturdayFeb. 25
 749 Wednesday ..Mar. 1
 750 SaturdayMar. 4
 751 Wednesday ..Mar. 8
 752 SaturdayMar. 11
 753 Wednesday ..Mar. 15
 754 SaturdayMar. 18
 755 Wednesday ..Mar. 22
 756 SaturdayMar. 25
 757 Wednesday ..Mar. 29

Fox Movietone

45 Wednesday ...Feb. 15
 46 SaturdayFeb. 18
 47 Wednesday ...Feb. 22
 48 SaturdayFeb. 25
 49 Wednesday ..Mar. 1
 50 SaturdayMar. 4
 51 Wednesday ..Mar. 8
 52 SaturdayMar. 11
 53 Wednesday ..Mar. 15
 54 SaturdayMar. 18
 55 Wednesday ..Mar. 22
 56 SaturdayMar. 25
 57 Wednesday ..Mar. 29

Paramount News

56 Wednesday ...Feb. 15
 57 SaturdayFeb. 18
 58 Wednesday ...Feb. 22
 59 SaturdayFeb. 25
 60 Wednesday ..Mar. 1
 61 SaturdayMar. 4
 62 Wednesday ..Mar. 8
 63 SaturdayMar. 11
 64 Wednesday ..Mar. 15
 65 SaturdayMar. 18
 66 Wednesday ..Mar. 22
 67 SaturdayMar. 25
 68 Wednesday ..Mar. 29

Metrotone News

243 Wednesday ..Feb. 15
 244 SaturdayFeb. 18
 245 Wednesday ..Feb. 22
 246 SaturdayFeb. 25
 247 Wednesday ..Mar. 1
 248 SaturdayMar. 4
 249 Wednesday ..Mar. 8
 250 SaturdayMar. 11
 251 Wednesday ..Mar. 15
 252 SaturdayMar. 18
 253 Wednesday ..Mar. 22
 254 SaturdayMar. 25
 255 Wednesday ..Mar. 29

Pathe News

95260 Wed. (E.)..Feb. 15
 95161 Sat. (O.)..Feb. 18
 95262 Wed. (E.)..Feb. 22
 95163 Sat. (O.)..Feb. 25
 95264 Wed. (E.)..Mar. 1
 95165 Sat. (O.)..Mar. 4
 95266 Wed. (E.)..Mar. 8
 95167 Sat. (O.)..Mar. 11
 95268 Wed. (E.)..Mar. 15
 95169 Sat. (O.)..Mar. 18
 95270 Wed. (E.)..Mar. 22
 95171 Sat. (O.)..Mar. 25
 95272 Wed. (E.)..Mar. 29

HARRISON'S REPORTS

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SATURDAY, FEBRUARY 25, 1939

No. 8

HAVE THE PRODUCERS REALIZED AT LAST WHAT A TOUGH COMPETITOR IS RADIO?

For the week beginning Sunday, February 12, the following motion picture stars were announced for radio appearances:

Sunday (between the hours of 4:30 and 10 p. m.): Charles Laughton, Andrea Leeds, John Garfield, Joan Crawford, Olivia de Havilland, Spencer Tracy, Don Ameche, Dorothy Lamour, Sterling Holloway, Edgar Bergen with his Charlie McCarthy, Charles Boyer, Virginia Bruce, Irene Rich, Ronald Colman, Akim Tamiroff, Robert Benchley, Carol Lombard, and the Marx Brothers.

Monday: Bert Lytell, Eddie Cantor, Lionel Barrymore, Edward Arnold, and Maureen O'Sullivan.

Tuesday: Edward G. Robinson, Claire Trevor, Al Johnson, Martha Raye, Patsy Kelly, and Edna May Oliver.

Wednesday: Ken Murray, Charles Ruggles, Ned Sparks, Frances Langford, and George Raft.

Thursday: Florence Eldridge, Fredric March, Frank Morgan, Fanny Brice, Bing Crosby, Bob Burns, Nigel Bruce, and Gene Autrey.

Friday: Jack Haley, Gracie Allen, and George Burns.

Saturday: Joe E. Brown.

Between noon time and ten o'clock Sunday night, one hundred and fifty-six features are given by the different important radio stations.

Beginning one o'clock, Sunday, the following important radio features were given without a conflict of time: King Carol of Rumania broadcasting from Bucharest, followed by a symphony concert from that city; symphony orchestra, with Grace Moore, soprano; Secretary of Agriculture Wallace, and Jan Masaryk, former Czech Minister to England; Raymond Massey, in a scene from "Abe Lincoln in Illinois," now playing to capacity houses in New York; Memorial to Pope Pius XI; Philharmonic Symphony, with Walter Gieseking, at the piano; Charles Laughton reciting from London Lincoln's Gettysburg Address; "If This Be Crime," a play, with Andrea Leeds; "Last Flight to Binghamton," a play with Joan Crawford; Secretary of State Hull speaking on Foreign Relations; Screen Guild, with Olivia de Havilland and Spencer Tracy speaking; "This Is New York," a Variety show with Raymond Massey reading "John Brown's Body"; Foreign Policy, by Senator Gerald Nye.

There used to be a time when Sunday was the biggest day of the week for picture theatres; today, it has become as bad as old Monday. Why not? With so many special features given every Sunday, and with so many picture stars appearing during the busiest theatre hours, how could the motion picture business avoid declining?

Another evening that has been ruined for the picture theatres is Thursday, because of the Kate Smith, the Major Bowes, and the Rudy Vallee programs, in addition to the many picture stars that appear on the different programs. The following stars participated in radio programs Thursday, February 16, beginning 7:30 p. m.:

Joe Penner, Rosalind Russell, Robert Montgomery, Robert Young, Fanny Brice, Frank Morgan, Florence Eldridge, Fredric March, Gene Autrey, Bing Crosby, Bob Burns, and Nigel Bruce.

On the same evening, Walter Wanger spoke on the Town Hall program for about fifteen minutes.

Why should any picture-goer want to go to a picture show on Thursday evening, paying his good money for it, when he can stay home and, in its comforts, enjoy an evening with so much program variety, free of cost, particularly if the weather should happen to be slightly bad?

Evidently the producers have begun to see light, for Darryl Zanuck, of Twentieth Century-Fox, has announced, as all of you know by this time, that he has withdrawn Tyrone Power from radio work. This was followed by an announcement from MGM that it has decided to withdraw its stars from such work. Warner Bros., too, have been reported as contemplating seriously of following suit.

That leaves only RKO's "Gateway to Hollywood," conducted by Jesse L. Lasky. But there is no doubt that this company, too, will cease encouraging its competitor.

But even if all producers should either abandon broadcasting or pull their stars out of broadcasts, they will not have done a complete job until they give up putting into pictures radio stars; otherwise, they build up the business of their competitors. Can they name one other business where those engaged in it help their competitors as much as the motion picture producers help the radio people?

HARRISON'S REPORTS suggests to the Allied negotiating committee to take the radio-competition matter up with the distributor negotiating committee next time the two committees meet, with a view to determining a definite policy toward radio.

HAVE THE HOLLYWOOD BRAINS GONE DRY?

The producers seem to have gone in for remaking pictures on a grand scale for the coming season. So far they have announced the titles of at least twenty-five such pictures, and before their plans are formulated finally they may decide upon many more.

Few remade pictures have so far proved successful at the box office. The reason for it is the fact that often they did not have as big names as the original versions, the stories were familiar to the public and in some cases outmoded, and in most cases the production values were not as good as those of the original versions.

"Over the Hill to the Poor House," for example, which cost less than seventy thousand dollars, took in more than five million dollars. Did the remade version, which was released by Fox November 29, 1931, and which cost close to a million dollars, make much money for you?

"The Merry Widow" is just another example. The original version made money for everybody, whereas the remade version, which cost many times more, "fopped," comparatively speaking.

Many more such pictures could be cited. "Zaza" is one.

With a view to acquainting you with the "remakes" that have been announced for this year, I am giving here an analysis of them:

Columbia

This company has announced that it is planning to produce "Front Page." The original picture was released by United Artists February 15, 1931. It is a newspaper yarn and made a great hit at that time.

Metro-Goldwyn-Mayer

This company has announced the following remakes:

"He Who Gets Slapped." This picture was produced by the same company and released November 2, 1924, with the late Lon Chaney, Norma Shearer, and the late John Gilbert in the leading parts. It is a tragedy, and deals with a brilliant scientist, who finds out that the woman he loved and the man he had trusted were both false. Mr. Chaney had given a great performance.

"Within the Law." This picture was first produced in 1917, by Vitagraph, with Alice Joyce; also in 1923, by First

(Continued on last page)

"Huckleberry Finn" with Mickey Rooney, Walter Connolly and William Frawley

(MGM, February 10; time, 90½ min.)

Considering Mickey Rooney's popularity and the fame of the story, this is a strong box-office attraction. It is, however, just fairly good entertainment. When produced by Paramount in 1931, the character of Tom Sawyer was an important part of the story; but that is not so in this picture—the screenplay here treats only with Huckleberry. This is to be regretted, for the actions of these two boys together were, in the last picture, the cause for hearty laughter. Although this version has its amusing moments, it lacks the light touch of the other one. The closing scenes are exciting, though unpleasant, because of the danger to a sympathetic character, whose life was endangered by an unruly mob that wanted to lynch him:—

When Huckleberry (Mickey Rooney) learns that his drunken father (Victor Kilian) was demanding \$800 from the widow Douglas (Elisabeth Risdon), who had taken Huck into her home, he runs away. But his father catches him and locks him in his hut. Huck escapes and arranges things so as to make it appear as if he had been murdered. While continuing on his way, Huck finds Jim (Rex Ingram), the widow's slave, hiding; he had intended to run away to his wife. Huck insists on taking him back to town, but when he hears that the Sheriff's men were looking for Jim, whom they suspected as Huck's murderer, he permits Jim to travel with him. They become acquainted with two gamblers (Walter Connolly and William Frawley). Huck learns that they were out to dupe two young girls (Jo Ann Sayers and Lynne Carver) of their legacy; he gives them away. They, in the meantime, had told the authorities that Jim was wanted for murder. While Huck was recuperating from a snake bite, Jim is sent back to stand trial. Huck, on recovering, is horrified. He enlists the aid of Captain Brandy (Minor Watson) to get him back to his home town; they arrive just in time to save Jim from an infuriated mob, intent on lynching him. Huck, whose father had died, goes back to live with the widow; he promises, in return for Jim's freedom, to go to school and to wear shoes.

The plot was taken from the Mark Twain story; Hugo Butler wrote the screen play, Richard Thorpe directed it, and Joseph L. Mankiewicz produced it.

Suitability, Class A.

"Twelve Crowded Hours" with Richard Dix and Lucille Ball

(RKO, March 3; time, 64 min.)

A fairly good program melodrama. The story is interesting, moving at a pretty fast pace. Audiences who go in for pictures of this type will find it to their liking, for it holds one's attention well. Had a little more attention been paid to it, however, it might have been a much better entertainment, for the story had the ingredients for a good newspaper-gangster melodrama. For instance, the excitement in some of the situations could have been intensified had the director used musical accompaniment. The romantic interest is of minor importance:—

While accepting a lift from two men he was acquainted with, the editor of a newspaper is killed along with the two men when a truck crashes into their taxicab, overturning it. Richard Dix, a reporter on the paper, suspects foul play. He knows that his fiancée's brother (Allan Lane), a paroled convict, who had threatened the editor, would be arrested. Dix rushes to Lane, forcing him to hide out in his apartment. In the meantime, Dix follows up a hunch concerning Cyrus W. Kendall, operator of a city-wide policy game. Kendall, who had arranged the murder of the two men in the taxicab, because they were trying to leave town with money belonging to his policy business, follows the third member of the party, who had left on the train with the money. He kills him, and takes the bag containing \$80,000. Dix, who had followed Kendall and knew what had happened, fakes a holdup and takes the bag from him; he checks it in a subway station. Kendall, who knew Dix, follows him to his apartment and threatens him with death unless he would turn over the bag. In the meantime, the police inspector (Donald MacBride) finds Lane and arrests him. Eventually Dix is able to prove his theories about how the murders had occurred and Kendall's part in them. Kendall, in an effort to escape from the police, is killed in the trap he had set for Dix and Miss Ball.

Garret Fort and Peter Ruric wrote the story, and John Twist, the screenplay; Lew Landers directed it, and Robert Sisk produced it. In the cast are Granville Bates, John Arledge, Bradley Page, Dorothy Lee, Addison Richards, and others.

Not for children. Adult fare. Class B.

"Cafe Society" with Madeleine Carroll and Fred MacMurray

(Paramount, March 3; time, 83 min.)

A very good comedy. The star names, the lavish production, and the romantic interludes will suffice for the masses. Sophisticated audiences will enjoy the satirical comedy relating to the antics of members of so-called cafe society, a set which has received much publicity of late. The fact that the story itself is the ordinary one of the poor but proud hero subduing the rich but wilful heroine in no way detracts from the entertaining quality of the picture, for the dialogue is fresh, the situations amusing, and the performances excellent:—

Madeleine Carroll, spoiled grand-daughter of millionaire Claude Gillingwater, makes a bet with society reporter Allyn Joslyn, who claimed that she was no longer news, that she could do something so startling that he would have to write about her in his column. She induces Fred MacMurray, a ship news reporter, who had fallen in love with her at first sight, to marry her; he thinks she really loved him. But immediately after the ceremony she telephones to Joslyn, claiming to have won the bet; MacMurray is disgusted, and leaves her. When Gillingwater hears about the marriage, he visits MacMurray, confessing his admiration for him. His suggestion that nothing be done about annulling the marriage for a time so as to avoid publicity meets with MacMurray's approval. In order to keep up appearances, Miss Carroll goes out with MacMurray, but they quarrel constantly. Soon, however, she learns to love him. Just when things begin to go smoothly she becomes jealous of MacMurray's friendship with Shirley Ross, a cafe singer. After one wild night, during which Miss Carroll becomes tipsy, insults Miss Ross, fights with MacMurray, and makes a general nuisance of herself, she realizes how disgracefully she had acted. She apologizes to Miss Ross and to MacMurray, with whom she becomes reconciled.

Virginia VanUpp wrote the story and screen play; W. H. Griffith directed it, and Jeff Lazarus produced it. In the cast are Jesse Ralph, Paul Hurst, Don Alvarado, Mary Parker, and others.

Suitability, Class A.

"Wife, Husband and Friend" with Warner Baxter, Loretta Young and Binnie Barnes

(20th Century-Fox, March 3; time, 79 min.)

A good adult comedy; it has been given a lavish production. The story, which is somewhat novel, should appeal both to class audiences and to the masses. The dialogue is sparkling, the plot development intelligent, and the acting and direction outstanding. Starting out as a domestic comedy, it develops into a triangle comedy, with complications that get the innocent hero into hearty-laughter provoking compromising positions. One of the situations, although pretty far-fetched, should prove quite amusing to an average audience; it shows the hero, a victim of stage fright, making a fool of himself during an operatic performance:—

Warner Baxter, warned by his millionaire father-in-law (George Barbier) that his life would be made miserable if he permitted his wife (Loretta Young) to take up a career as a singer, decides to do something about it. He agrees to her giving a recital, thinking that she would be cured after that, for he felt that she had a bad voice. But her recital is a success and she is fired with ambition, deciding to go on with her career. Binnie Barnes, a famous singer, invites Baxter to her apartment on the pretext that she wanted to talk about his wife's voice; but she wanted to see him alone, for she had been attracted to him. Baxter sings a song for her; she is amazed at the quality of his voice and induces him to study with her. She tells him it would be a good way of curing his wife. Baxter agrees; he does not tell his wife anything about it. Instead, he goes off on a tour with Miss Barnes, leading Miss Young to believe that it was a business trip. In the meantime, Miss Young gets an engagement at a theatre where she is booed off; this cures her. But when she learns what Baxter had done, she is furious and leaves him. In the meantime, Baxter's business was in so bad a shape that he agrees to appear at an operatic performance with Miss Barnes. On the opening night, he is so dazed that, when he appears on the stage, his actions are clumsy and he is laughed off. Miss Young, who had been in the audience, rushes backstage to comfort him. Being happily reconciled, they decide to give up music as a career.

James M. Cain wrote the story, and Numally Johnson, the screen play; Gregory Ratoff directed it, and Mr. Johnson produced it. In the cast are Cesar Romero, J. Edward Bromberg, Eugene Pallette, Helen Westley, and others.

Suitability, Class A.

"Stagecoach" with Claire Trevor, John Wayne and Thomas Mitchell

(United Artists, March 3; time, 95 min.)

A rousing Western melodrama. It blends exciting action with comedy, human appeal, and romance, offering entertainment with a strong mass appeal. The situation in which the Indians give chase to the stagecoach, attempting to kill all its occupants, is so thrilling that audiences will shout with excitement. Incidentally, the horseback riding in these scenes is something to marvel at. An equally thrilling situation comes towards the end, when the hero meets and shoots it out with the three men who had killed his brother and had framed a charge against him that had sent him to prison. In between these melodramatic scenes, one is kept amused by the actions of Thomas Mitchell, a doctor who drank too much. The human interest is brought about as a result of the sympathy one feels for Louise Platt, one of the passengers, who gives birth to her child while enroute to meet her husband, an officer in the Army. The romance is developed logically:—

A stagecoach starts out with five passengers: Claire Trevor, who had been forced out of town on charges of immorality; Thomas Mitchell, who drank up all his money and could not pay his rent; Louise Platt, a southerner, who was on her way to meet her husband; John Carradine, a gambler, who went along to protect Miss Platt; Donald Meek, a liquor drummer; and Berton Churchill, the town banker, who was running away with the bank's receipts. The driver (Andy Devine) was accompanied on the front seat by the Sheriff (George Bancroft), who was out to find John Wayne, who had escaped from prison. On the way, they meet Wayne, who, knowing that his services would be needed if they were to encounter Indians, offers no resistance. The stagecoach is forced to stop when Miss Platt becomes ill. Mitchell sobers up sufficiently to take care of her during the birth of her child. Churchill fumes at the delay. Two days later they start out again, and this time they meet the Indians. After a terrific battle with them, during which they are rescued by the U. S. Army, they arrive at their destination. Bancroft, knowing that Wayne was innocent, permits him to fight it out with his enemies. Wayne kills the three men and is ready to go back to prison; but Bancroft frees him. Wayne, even though he knew of Miss Trevor's reputation, asks her to marry him; she accepts his proposal.

Ernest Haycox wrote the story, and Dudley Nichols, the screen play; John Ford directed it, and Walter Wanger produced it. In the cast are Tim Holt, Chris Martin, Francis Ford, Florence Lake, and others.

Suitability, Class A.

"Yes, My Darling Daughter" with Priscilla Lane and Jeffrey Lynn

(First National, February 25; time, 85½ min.)

An amusing sophisticated comedy, suitable particularly for the class trade. It will probably do good business, since the players are popular, and the play, from which the plot was adapted, is known fairly well. Although nothing immoral takes place, some parents may feel it is not the proper kind of entertainment for adolescents, for the dialogue is suggestive. It has been handled, however, intelligently and in good taste. Another thing in its favor is the fact that the players, by reason of fine performances, win the spectator's sympathy; at no time are their actions offensive:—

When Priscilla Lane, daughter of wealthy parents, learns that Jeffrey Lynn, with whom she was in love, had accepted a position in Belgium, which would keep him away from her for two years, she suggests that they go away for a week-end together in order to get better acquainted and to be sure of their love for each other. Her idea was not to tell her mother (Fay Bainter) about it, but when her mother confronts her, Miss Lane admits the truth. Miss Bainter is outraged and orders her not to leave the house; but Miss Lane reprimands her, reminding her that she was a liberal person, one who had always preached about the rights of individuals. Miss Bainter finally permits her to go. When Miss Lane's father (Ian Hunter) finds out what had happened, he is furious and sets out to bring her back. But his mother-in-law (May Robson), who was somewhat of an individualist herself, prevents him. When Miss Lane returns and is met by her angry father, she is shocked to think that he had mistrusted her. She assures her mother that the week-end had been a perfectly innocent one. When Lynn arrives at the house and learns that every one had known about the week-end, he is angered and leaves. Miss Lane's family suggests that she go after him; and that is just what she does. Lynn is amazed to find the family at the dock to bid him goodbye. But when he goes to his stateroom he understands, for Miss Lane was there waiting for him. She sug-

gests that the Captain marry them, to which he readily agrees.

The plot was adapted from the play by Mark Reed; Casey Robinson wrote the screen play, Wm. Keighley directed it, and Benjamin Glazer produced it. In the cast are Roland Young, Genevieve Tobin, and Edward Gargan.

Unsuitable for children and adolescents. Adult fare. Class B.

"Fast and Loose" with Robert Montgomery and Rosalind Russell

(MGM, February 17; time, 79 min.)

This is a follow-up to "Fast Company," with Robert Montgomery and Rosalind Russell replacing Melvyn Douglas and Florence Rice. It is just as good as the first one, for it follows the formula used so successfully there—that of combining murder-mystery melodrama with comedy. The story is mystifying enough to satisfy the most ardent follower of that type of entertainment; and, at the same time, the comedy and romantic interludes give it added value. The production is good, and the acting and direction completely satisfying:—

Montgomery and his wife (Miss Russell), owners of a rare book business, are overjoyed when, just as their finances had given out, they are engaged by an eccentric millionaire (Etienne Girardot) to buy for him a famous manuscript, owned by Ralph Morgan. Together with Alan Dinehart, head of the company that had insured the manuscript, they visit Morgan, whose secretary was a friend of Montgomery's. Montgomery, who did amateur detective work on the side for the insurance company, realizes that something was wrong; he discovers that Morgan's son, who owed gambling debts to Sidney Blackmer, had pilfered the library of valuable books, which he had sold. Every one is shocked when Morgan is murdered and the manuscript stolen; the manuscript is found later. Upon investigation, Montgomery notices that the manuscript they had found was a forgery. Later he learns that the original had been stolen and sold to another person some time past without Morgan's knowledge. After many exciting encounters with Blackmer and his men, during which he and his wife are constantly in danger, Montgomery uncovers the real criminal. He proves that Reginald Owen, Morgan's private broker, had stolen the manuscript; when Morgan, on the night of his murder, had discovered the deception, Owen had killed him. Miss Russell tries to help out by shooting at Owen when he tries to escape; instead, she shoots Montgomery. But Owen is captured; Miss Russell comforts Montgomery.

Harry Kurnitz wrote the original screen play; Edwin L. Marin directed it, and Frederick Stephani produced it. In the cast are Jo Ann Sayers, Joan Marsh, Tom Collins, and others.

Unsuitable for children. Good for adults. Class B.

"You Can't Cheat an Honest Man" with W. C. Fields and Edgar Bergen

(Universal, February 17; time, 79 min.)

This is the type of comedy that should go over well in crowded theatres. Completely lacking in story values, the picture, nevertheless, manages to entertain one, for W. C. Fields and Edgar Bergen are both excellent. The story is just an excuse for both of them to do their various acts; one or the other is on the screen at all times. Some of Fields' gags are old and others new. One of the comical situations is that in which he uses an elephant to help him take a shower bath; another, that in which he tells a story of his exploits as a big-game hunter, during which he mentions the word snake quite often. Each time he does so, his hostess, who was allergic to the sound of that word, faints. Bergen uses two dummies—Charlie McCarthy and Mortimer. He is, as usual, amusing, except that on occasion his routines are too long.

In the development of the plot, Fields, owner of a travelling circus, finds himself in financial difficulties. When his daughter (Constance Moore), who had been away at college, learns about it, she decides to marry James Bush, a wealthy nincompoop, even though she loved Bergen, who worked in the circus. But when Bush's snobbish parents call her father a vulgarian and order him out of their home, Miss Moore leaves, happy to be rid of Bush. She and Bergen are united.

Charles Bogle wrote the story, and George Marion, Jr., Richard Mack, and Everett Freeman, the screen play; George Marshall directed it, and Lester Cowan produced it. In the cast are Mary Forbes, Thurston Hall, John Arledge, and Princess Baba.

Suitability, Class A.

National, with Norma Talmadge. The story deals with a heroine who is railroaded into the penitentiary. When she comes out she decides to get even with the man who had framed her by striking at him through his son. She eventually falls in love with the son. A powerful subject, but somewhat outmoded.

"Our Modern Daughters," released in 1929 under the title "Our Modern Maidens," with Joan Crawford and Douglas Fairbanks, Jr.

"Penthouse," released in 1933, with Warner Baxter and Myrna Loy. It is a strong melodrama, dealing with gangsters and a hero who defends them. Not worth remaking.

"Love Came Back to Me," released in 1931 as "New Moon," with Grace Moore and Lawrence Tibbett. It is the story of a Russian Princess who falls in love with a Cosack hero, a great singer. It is not great enough for remaking.

Paramount

"Beau Geste," produced in 1926, with Ronald Colman and Alice Joyce. The story deals with a self-sacrificing Englishman who had left England and gone to Algiers and joined the French Foreign Legion, drawing upon himself the blame for a wrong committed by some one else in the family. It made a great hit at that time.

"The Cat and the Canary," produced by Universal in 1927 as a silent picture. It is a haunted-house melodrama. Since it was produced more than twelve years ago, it might go over if Paramount should produce as good a picture as Universal produced at that time.

"Casey Jones," released by Rayart in 1928.

RKO

"A Bill of Divorcement," produced by this company in 1932. This is the picture that ushered Katharine Hepburn to the screen. It is a powerful subject, but since it deals with insanity it should not be remade. RKO announced Anne Shirley for the part of Miss Hepburn. If so, it is a poor selection, because Miss Shirley, a fine actress in unsophisticated parts, may be lost in so powerfully dramatic a part.

"The Hunchback of Notre Dame," produced by Universal in 1923, with the late Lon Chaney in the leading part. It is a powerful story, and since it was produced sixteen years ago it might be worth repeating. The outcome, however, will depend on whether RKO makes it as big as Universal made it.

Twentieth Century-Fox

"The Gorilla." This picture was produced by First National first in 1927, at which time it proved successful, and then in 1930, at which time it proved a box-office "flop." It is a sort of creepy melodrama, having as a central figure a gorilla, who endangers peoples' lives.

Warner Bros.

This company has announced the greatest number of remakes: nine, so far.

"Disraeli." This picture has already been produced twice, once in 1921, by United Artists, and once by Warner Bros., in 1929; both times with George Arliss in the leading part. This time Warner Bros. plans to put Claude Rains in the leading part. In the opinion of HARRISON'S REPORTS, the subject will not bear a third repetition, regardless of the considerations that may have prompted Warner Bros. to remake it.

"The Changeling," produced by this company (First National) in 1929, with Dorothy Mackaill, under the title "His Captive Woman." It was first produced as a silent picture, and then rearranged with a few sound sequences. The story does not, in this paper's opinion, bear repetition.

"The Drug King," released by this company December 3, 1932, under the title "The Match King." The story dealt with Kreuger, the Swedish match Baron. "Unpleasant and demoralizing," is what the review in HARRISON'S REPORTS said. Unless altered radically, the story will not bear repetition.

"One Way Passage," produced in 1932 with Kay Francis and William Powell. Warner Bros. has announced that, if it will produce it, it will give the Kay Francis role to Marlene Dietrich. The review in HARRISON'S REPORTS said: "A fairly interesting though depressing drama." Both hero and heroine were presented as believing that they should soon die. It is not a subject that bears repetition.

"The Millionaire," produced in 1931 with George Arliss. This picture was first produced in 1922, by United Artists, with the same star. The United Artists version turned out excellent, although it did not make any money for the exhibitors. The Warner Bros. version turned out a fair en-

tainment, but did not set anybody's box office afire. The subject hardly bears a third repetition.

"Outward Bound," produced in 1930, with Leslie Howard. The picture turned out excellent, but because it dealt with dead people, acting in after life as if they were alive, it did not make any money. It is a subject that should be left alone.

"The Roaring Crowd," produced in 1932, with James Cagney, and released April 16, under the title, "The Crowd Roars." It is an automobile racing subject, with a horrible scene; it shows one of the racing cars catching fire and burning the driver to death. It is so gruesome a story that it should not be touched, even though it is extremely thrilling. There is too much resentment among the picture-going public against nerve-shattering pictures; parents are complaining because of the effect on the nervous system of their children.

"The Sea Hawk," produced in 1924 with Milton Sills and Wallace Beery. The picture turned out to be so fascinating that it might bear repetition, particularly since it was so long ago that it was first produced.

"Three Cheers for the Irish," produced in 1932 by Paramount, with George Cohan, and Claudette Colbert, and released as "The Phantom President." The Paramount picture flopped "terribly." The story is not extraordinary, and unless the Warners plan to alter it radically it will not bear repetition.

Your fight for the elimination of block-booking and blind-selling should be strengthened considerably if you should call the attention of your Congressmen to these remakes; you should be able to convince them that you have no power to prevent the production of pictures that may prove either demoralizing to children, or destructive to your box office.

THE CONSEQUENCES OF THE REPEAL OF THE NORTH DAKOTA THEATRE DIVORCEMENT LAW

Have you ever watched what happens when some one throws a rock into a nest of wasps?

That is exactly what is going to happen as a result of the "peculiar circumstances" under which the North Dakota Theatre Divorcement Law was repealed; similar bills will be introduced in the legislatures of so many states that those responsible for the North Dakota repeal measure will have time for nothing else but to work for their repeal.

There is no question that the repeal of the North Dakota Law has incensed the exhibitors, if we are to judge by the statements of some of their leaders. According to Motion Picture Daily, Mr. Abram F. Myers, speaking for himself, stated the following:

"That and other activities behind our backs, while we have been engaged in the trade practice negotiations, make us wonder whether we had better not cage the dove of peace and renew the fight. We are not well enough manned to cover both fronts and it will have to be one or the other."

And Col. H. A. Cole, as quoted in the Film Daily, said the following:

"I can speak for myself only and not for the committee. Only the committee of Allied's board of directors has the right or power to withdraw from such negotiations. However, as an individual and as president of Allied, I should like to state that I deeply resent, not an open attempt of distributor interests to repeal the North Dakota statute, but the political trickery used to bring that about at this critical time. Such a maneuver can leave the independent exhibitors nothing but a feeling of complete distrust and a fear that similar tactics may prevail in all their future relations."

In commenting upon this incident in last week's issue, I said that the last word in this drama has not yet been spoken. It seems as if I was fully justified in that prediction if we are to judge by what the February 15 issue of the Film Daily, in a dispatch from Bismark, N. D., said partly: "Federal investigation of circumstances involving a vote to repeal the North Dakota theatre divorcement act was indicated when Speaker Oscar Hagen of the House yesterday said he was withholding his signature on House Bill 245 after being informed the Department of Justice agents were on the ground," and by "It looks very funny to us and we don't like it at all," as the February 16 issue of Motion Picture Daily quotes a Department of Justice representative as having said.

If the Department of Justice should undertake to investigate the different moves that were made in the repeal of that law, there may be interesting developments.

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FIGHTING A LOSING BATTLE

From reports published in the trade papers, it seems certain that an application will be made to the United States Supreme Court for a re-hearing in the case of *United States vs. Interstate Circuit et al*, in which case Judge William H. Atwell, of the Federal District Court at Dallas, Texas, was sustained in holding that a monopoly existed in the distribution of films in Texas.

In the opinion of HARRISON'S REPORTS, such an application will be but another vain effort on the part of the distributors to accomplish, through a weak claim of right, what could be accomplished through cooperation.

As far back as June 4, 1938, this paper warned that, if the distributors should appeal to the United States Supreme Court from the findings of Judge Atwell, "all they could possibly accomplish would be to add the U. S. Supreme Court's approval to the damaging findings and decree of the Dallas District Court." Had the producers heeded at that time this paper's advice, they would have dropped the appeal and would have tried to work out with the exhibitor leaders a fair trade practices code. But they failed to heed it, and now they find themselves faced with a serious problem.

Again, instead of facing the actualities, and giving a chance to the trade practices conference to find a fair way of protecting every one's interests, they have decided to resort to more court proceedings. As evidenced by the majority opinion, the U. S. Supreme Court gave the questions involved in the Interstate case deep study. The business of distributing and exhibiting pictures, particularly as it relates to the State of Texas, was gone over with a toothcomb. In the face of that opinion, it is manifest that the distributors will waste their time on a rehearing application, for Mr. Justice Stone, who delivered the majority opinion, stated the following:

"It taxes credulity to believe that the several distributors would, in the circumstances, have accepted and put into operation with substantial unanimity such far-reaching changes in their business methods without some understanding that all were to join, and we reject as beyond the range of probability that it was the result of mere chance. * * *

"While the District Court's finding of an agreement of the distributors among themselves is supported by the evidence, we think that in the circumstances of this case such agreement for the imposition of the restrictions upon subsequent-run exhibitors was not a prerequisite to an unlawful conspiracy. It was enough that, knowing that concerted action was contemplated and invited, the distributors gave their adherence to the scheme and participated in it. Each distributor was advised that the others were asked to participate; each knew that cooperation was essential to successful operation of the plan. They knew that the plan, if carried out, would result in a restraint of commerce, which we will presently point out, was unreasonable within the meaning of the Sherman Act, and knowing it, all participated in the plan. The evidence is persuasive that each distributor early became aware that the others had joined. With that knowledge they renewed the arrangement and carried it into effect for the two successive years.

"It is elementary that an unlawful conspiracy may be and often is formed without simultaneous action or agreement on the part of the conspirators. * * * Acceptance by competitors, without previous agreement, of an invitation to

participate in a plan, the necessary consequence of which, if carried out, is restraint of interstate commerce, is sufficient to establish an unlawful conspiracy under the Sherman Act. * * *

"A contract between a copyright owner and one who has no copyright, restraining the competitive distribution of the copyrighted articles in the open market in order to protect the latter from the competition, can no more be valid than a like agreement between two copyright owners or patentees. * * * In either case if the contract is effective, as it was here, competition is suppressed and the possibility of its resumption precluded by force of the contract. An agreement illegal because it suppresses competition is not any less so because the competitive article is copyrighted. The fact that the restraint is made easier or more effective by making the copyright subservient to the contract does not relieve it of illegality."

The rules set down by the Supreme Court are broad enough to apply to situations outside of Texas and to aspects of distribution other than the fixing of minimum admission prices for subsequent-run houses, and the prohibition against double features. It may, in fact, extend to every phase of protection and clearance.

That such a ruling would some day have been made by the U. S. Supreme Court has been predicted by HARRISON'S REPORTS a long time ago. It now makes to the distributors the suggestion that they sit down with the exhibitors, as business men, to work out for the entire industry a fair and equitable program. They should put an end to their attempts to hold on to the unfair control of the industry they have been having for many years and should endeavor to gain the good will of their customers. Unless they do so, further restrictions of their control powers are inevitable.

They are continuing to fight a battle that is already lost to them.

MORE ABOUT NORTH DAKOTA REPEAL

In its February 18 issue, HARRISON'S REPORTS quoted the leaders of the North Dakota Legislature as having stated that the circumstances under which the theatre divorcement law had been passed seemed "peculiar," and suggested that "the end of the story has not yet been told,"—that "the last word on the North Dakota divorcement law may not have been spoken yet."

Since that time there have been many repercussions resulting from the "peculiar" circumstances under which this law had been repealed.

Governor Moses, of North Dakota, has signed the repeal measure, thus taking off the statute books of North Dakota the divorcement law, making it almost a certainty that the United States Supreme Court would be compelled to dismiss the pending appeal from the adjudication of the United States Circuit Court of Appeals that the law was constitutional.

One of the more significant repercussions is the investigation by the Department of Justice of the circumstances surrounding the repeal. According to *Bo. office*, U. S. Government agents were in Bismark investigating the facts that led to the repeal of that law.

The February 21 issue of *Film Daily*, too, states the same thing; it says:

(Continued on last page)

"Secret Service of the Air" with Ronald Reagan, John Litel and James Stephenson

(Warner Bros., March 4; time, 61 min.)

A pretty good program action melodrama. Although the plot is routine and slightly far-fetched, the picture should please action fans, for it moves at a fast pace, holding one in suspense until the end. One situation, although in keeping with the story, may sicken some spectators; it shows an aviator, who was smuggling a group of men across the border in his plane, opening a trap door and dumping all the men out, for he had discovered that one of the passengers was a secret service agent. The spectator feels admiration for the hero, because he shows courage and daring in the face of danger. The romance is minimized:—

John Litel, head of the U. S. Secret Service, enlists the aid of Ronald Reagan, a commercial aviator, in rounding up a gang, who had been smuggling non-citizens into the United States, using planes to get their customers across the border. As part of the plan, Reagan is compelled to go to prison; his cell-mate is one of the gang. Through him, Reagan obtains important information. After an attempted jail break by Reagan and his cell-mate, they are caught and brought back; the cell-mate is led to believe that Reagan would be sent to Alcatraz. Instead, he is freed. He becomes acquainted with one of the men in the smuggling ring, and is able to convince him that he would be a good man to have. His work is in danger of being spoiled when his former cell-mate, who had escaped, arrives and accuses him of being a fraud. Reagan is finally able to get the gang leader across the border, placing him in the hands of the police. The smuggling ring is thus broken up.

Raymond Schrock wrote the original screen play, Noel Smith directed it, and Bryan Foy produced it. In the cast are Edide Foy, Jr., Ila Rhodes, Rosella Towne, Morgan Conway, Anthony Averill, and others.

Unsuitable for children. Class B.

"Let Us Live" with Henry Fonda, Maureen O'Sullivan and Ralph Bellamy

(Columbia, February 28; time, 68 min.)

A strong but somewhat grim melodrama. Even though it holds one in suspense, it is not particularly pleasant entertainment, for the story is harrowing. Another thing against it is the fact that law officials are shown as being heartless men, interested in securing convictions more than in getting to the bottom of a case; also the fact that police methods in crime detection work are disparaged. The suffering of the hero and the heroine touches one, but at the same time it is painful to watch; not until the very end, just before the hero was to go to the electric chair, is the heroine able to obtain the evidence to prove the hero's innocence. The picture ends on a bitter note, showing the hero's spirit broken by his experience. The direction and acting are good:—

Fonda, a taxicab driver, accompanies his sweetheart (Maureen O'Sullivan) to church; he waits outside for her. While he is waiting, three crooks hold up a motion picture house around the corner, killing the guard. Having learned that the crooks got away in a cab, the police round up all the cab drivers who operated such a cab; Fonda is one of them. They arrest also his roommate (Alan Baxter). The theatre employees identify Fonda and Baxter as two of the crooks and, despite their pleas of innocence, they are held for trial. Miss O'Sullivan's story is disbelieved. The two men are tried, convicted, and sentenced to death in the electric chair. Miss O'Sullivan works frantically to save them. With some new evidence she had found, she finally convinces Ralph Bellamy, a police inspector, of the two men's innocence. Bellamy, in order to help her, resigns his position. Fonda, after having borne up bravely, goes to pieces. Not until the day of the electrocution are Miss O'Sullivan and Bellamy able to locate the crooks. With the help of several policemen, they round them up and find the loot. The theatre employees, realizing their mistake, naturally identify the real crooks. Thus Fonda and Baxter are released. Fonda leaves the prison a broken man. The only one toward whom he acts friendly is Bellamy.

The plot was adapted from a story by Joseph F. Dinneen. Anthony Veiller and Allen Rivkin wrote the screen play, John Brahm directed it, and William Perlberg produced it. In the cast are Stanley Ridges, Henry Kolker, Ray Walker, George Douglas, Peter Lynn, Martin Spellman, and others.

Not suitable for children. Adult fare. Class B.

"Everybody's Baby" with Jed Prouty, Shirley Deane and Russell Gleason

(20th Century-Fox, March 24; time, 61 min.)

This latest picture in the "Jones Family" series is good entertainment. The action focuses less on the family and more on the problems of the married daughter (Shirley Deane) and of her husband (Russell Gleason) after the birth of their baby. These problems are treated entirely from a comedy angle. Most of the laughter is provoked by the methods Miss Deane, who had been taken in by a fake child expert (Reginald Denny), insists on employing in the care of the child. One of the most comical situations is that in which Miss Deane's family, eager to see the child, are compelled, before entering the child's room, to put on sterilized gowns and gauze masks. One feels sympathy for Gleason, who is not permitted to hold his own baby, because the nurse, who had been sent to them by Denny, claimed it would spoil the child. Another comical situation is that in which Gleason, who had been drinking to drown his troubles, arrives home slightly drunk, thereby having enough courage to tell the nurse what he thought of her. This so angers his wife that she orders him to leave their home. The closing scenes, although slightly far-fetched, are comical; in them Denny is exposed in a manner to embarrass him. Gleason and Miss Deane are reconciled; and the members of the family are happy that at last they could see and play with the baby without any interference.

Hilda Stone and Betty Reinhardt wrote the story, and Karen DeWolf, Robert Chapin, Frances Hyland and Albert Ray, the screen play; Malcolm St. Clair directed it, and John Stone produced it. In the cast are Spring Byington, Ken Howell, George Ernest, Hattie McDaniel, Florence Roberts, and others.

Suitability, Class A.

"Let Freedom Ring" with Nelson Eddy, Virginia Bruce and Edward Arnold

(MGM, February 24; time, 86 min.)

Good mass entertainment. It is also a strong box-office attraction, for, in spite of the fact that the story is just a glorified Western, the players have drawing power. Moreover, it strikes a patriotic note, which is certain to appeal to Americans everywhere. Added to all this, is the further attraction of Nelson Eddy's singing, which has been interpolated so well that it fits in with the story and does not interfere with the action. Western fans should enjoy the horseback riding, fist fights, and the colorful background of the old pioneering days. The closing scenes, in addition to being exciting, touch one's emotions. Virginia Bruce and Nelson Eddy handle the romance effectively. And Charles Butterworth and Victor McLaglen provide hearty laughter.

Lionel Barrymore, western ranch owner, looked forward to the return of his son (Eddy) from Harvard law school; he felt that he would be able to stop Edward Arnold, a ruthless financier from the east, who had been burning down homes and otherwise forcing ranchers to give up their property to make way for the new railroad. Virginia Bruce, cafe owner, who loved Eddy, was impatient for his return. But Eddy shocks every one when, upon his return, he sides with Arnold. No one realizes that he was purposely acting that way in order to get into Arnold's good graces, and thus obtain all the information against him he needed. He secretly publishes a newspaper, copies of which he distributes to the foreign railroad workers whom Arnold had brought out west; but McLaglen, the road gang manager, threatens to kill any one who would read a copy. In the meantime, Miss Bruce, heartsick at Eddy's actions, promises to marry Arnold, even though she despised him. Eddy's activities are finally disclosed; Arnold insists that the Sheriff arrest him. But Eddy appeals to the laborers to become true Americans and not permit themselves to be bullied by a tyrant. At first, his words are ineffective, for the men feared Arnold; but Miss Bruce arouses them when she starts singing "America," and asks them to join in with her. McLaglen and all his men go over to Eddy's side, and force Arnold to leave town. Eddy and Miss Bruce are joyfully united.

Ben Hecht wrote the story and screen play, Jack Conway directed it, and Harry Rapf produced it. In the cast are Guy Kibbee, H. B. Warner, Raymond Walburn, Dick Rich, and others.

Suitability, Class A.

"The Saint Strikes Back" with George Sanders and Wendy Barrie

(RKO, March 10; time, 64 min.)

This is a good follow up to "The Saint in New York." It is an engrossing program gangster melodrama, with a mystifying plot, and plentiful exciting action. George Sanders, who replaced Louis Hayward as "The Saint," is convincing in the part of the self-appointed detective who, single-handed, outwits a gang of crooks and uncovers the identity of the gang leader. The methods Sanders employs are at times the cause for laughter and, at other times, for excitement. There is just a hint of romance between Sanders and the girl he tries to protect, but in the end they part.

Wendy Barrie, who had entered a life of petty crime in order to find out, if possible, who had framed her father, a former police official, on a robbery charge, the disgrace of which had caused his death, is annoyed when Sanders interferes with her plans. She refuses to believe that he wanted to help her prove her father's innocence by finding out who the leader of the gang was, and thus break up a gang of criminals who had been operating with a free hand. But in time she is convinced of the fact, and so she joins forces with him. Their investigations lead them to a wealthy philanthropist, who kills himself when he realizes that he had been trapped. In the meantime, Jonathan Hale, a New York police inspector, who believed Sanders himself to be guilty of crimes and, therefore, wanted to arrest him, is constantly outwitted by Sanders. Eventually Sanders proves Miss Barrie's father's innocence, and discloses that the gang leader was none other than Neil Hamilton, who was supposed to be Miss Barrie's intimate friend; he proves also that Hamilton had been assisted by Jerome Cowan, a police official. With the case finished, Sanders bids Miss Barrie goodbye, even though he was drawn to her, for he was the type of man who wanted to be free to continue his work without any hindrance.

Leslie Charteris wrote the story, and John Twist, the screen play; John Farrow directed it, and Robert Sisk produced it. In the cast are Barry Fitzgerald, Robert Elliott, Russell Hopton, Edward Gargan, and others.

The activities of the crooks make it unsuitable for children. Class B.

"Forged Passport" with Paul Kelly, June Lang and Lyle Talbot

(Republic, March 24; time, 61 min.)

Just a moderately entertaining program melodrama. The plot is developed without much excitement, most of the thrills being concentrated in the closing scenes. Some audiences may resent the comments made by a few characters with reference to the lack of intelligence on the part of U. S. Immigration officials at the Mexican border, for, with the exception of the hero, the others are presented as being somewhat stupid. Billy Gilbert gives his usual good performance, provoking laughter by his actions. A few musical numbers are presented in an entertaining way:—

Paul Kelly, a member of the U. S. Immigration Patrol at the Mexican border, who is known for his hot temper, is warned by the commanding officer to control his impulse to fight. Kelly uncovers a smuggling plot, in which Lyle Talbot, cafe owner, had had a hand, and Talbot warns him to keep out of his affairs. Kelly receives a telephone call, presumably from Billy Gilbert, a cafe owner to whom he was indebted, threatening to expose him unless he would bring the money over to his cafe immediately. Kelly sends over a new recruit (Maurice Murphy) to reason with Gilbert. But it suddenly dawns upon him that it might be a trap. And he was right, but by the time he arrives at the cafe Murphy is dead, shot by some one who had been waiting for Kelly. After admitting his part in the affair, Kelly resigns. He opens a gasoline station in partnership with Gilbert, whose cafe had been closed. By pretending to smuggle men across the border, Kelly comes to Talbot's attention; they make a deal to work as partners. In this way Kelly is able to uncover the activities of the gang; he himself is shocked to learn that the leader was a respected man with whom he had been friendly. His work finished, Kelly marries June Lang, a cafe entertainer.

James Webb and Lec Loeb wrote the story, and Franklin Cohn and Lee Loeb, the screen play; John Auer directed and produced it. In the cast are Cliff Nazarro, Christian Rub, John Hamilton, Dewey Robinson, and others.

The murder and smuggling make it unsuitable for children. Class B.

"Prison Without Bars" with Edna Best

(London Films-United Artists, March 15; time, 77 min.)

A pretty gripping prison melodrama. But, before it will do business in the United States, it will have to be exploited, for the players are unknown here. Although the plot is not novel, the performances are so good that, even though the action at times drags, one is interested in the various characters, following their actions intently. The spectator sympathizes particularly with the heroine, who had been imprisoned on a framed charge; her softening under the influence of the new matron, who treated her with kindness, touches one. The love interest, although logical, is in some respects unappealing, for it brings unhappiness to a character for whom one feels the deepest admiration. There is very little comic relief. The action takes place in a prison for women located at the outskirts of Paris:—

Tortured by the cruel methods employed by Martita Hunt, head of a prison for women, the inmates are rebellious. Corinne Luchaire, a young girl of charm, who had been imprisoned on a framed charge, tries to escape on a few occasions but she is caught and brought back each time. The government officials, having heard of Miss Hunt's unpleasant methods, send Edna Best to replace her as head of the institution. Miss Hunt stays on as an assistant. Miss Best is happy to be there, for, unknown to any one, the prison doctor (Barry K. Barnes) was her sweetheart. Much to Miss Hunt's disgust, Miss Best changes things considerably; she takes Miss Luchaire under her wing and gradually softens her. Having learned that Miss Luchaire liked nursing, she assigns her to work with Barnes. Barnes, disappointed because Miss Best would not marry him immediately, turns his affections to Miss Luchaire; they fall madly in love with each other. One of the inmates finds it out and proceeds to blackmail Miss Luchaire. But the truth finally comes out. Miss Luchaire is heartbroken when she learns that Miss Best loved Barnes. But Miss Best, who had won a parole for the girl, insists that she leave and join Barnes, who was going to India. Miss Best, with tears in her eyes, watches the girl go, feeling that she herself was more of a prisoner than the inmates.

Arthur Wimperis wrote the scenario; Brian D. Hurst directed it, and Alexander Korda produced it, with Irving Asher, associate producer.

Not suitable for children. Adult fare. Class B.

"Code of the Streets" with Harry Carey and Frankie Thomas

(Universal, May 5; time, 69 min.)

A good program melodrama. In spite of the fact that the story is somewhat far-fetched, it holds one's attention well, for the action is fast and at times pretty exciting. "The Little Tough Guys," headed this time by James McCallion, give good performances, provoking laughter by their toughness and by the tricks they play. In this picture, however, they concentrate more on drama than on comedy. One feels sympathy for McCallion, whose brother had been framed on a murder charge. Harry Carey, too, wins one's sympathy by his efforts to help the accused man. There is no love interest:—

Paul Fix, a victim of his slum environment, who had wandered into a life of petty crime, is arrested for murder on a charge framed by the real murderer. Carey, the detective who had arrested Fix, feels certain that he was innocent; but Fix is tried, convicted, and sentenced to the death penalty. When Carey tells the District Attorney how he felt about the case, he is demoted to the rank of an ordinary policeman. His young son (Frankie Thomas), desirous of helping his father, goes down to the slum district where Fix had lived, and becomes acquainted with his young brother (McCallion) and his gang. They are suspicious of Thomas until he tells them that he wanted to help Fix. But when they learn he was Carey's son, they beat him up and throw him out of the gang. When they find out about Carey's demotion they regret their act and take Thomas back. The boys discover the identity of the real criminal and, by threats of torture, force him to confess. Carey arrives in time to make the arrest. He is reinstated, and Fix is released. Thomas is considered by the gang a hero.

Arthur T. Horman wrote the original screen play; Harold Young directed it, and Burt Kelly produced it. In the cast are Leon Ames, Marc Lawrence, El Brendel, Juanita Quigley, and others.

Suitability, Class A.

"Federal Bureau investigators were on the ground probing the circumstances under which the act was adopted. The interest of the Federal government is tied up with its anti-trust suit against the major distributors in New York, plus the fact that North Dakota was the first state to adopt an act which prohibited display of pictures by film owners or distributors within its borders."

The same issue of this paper, in informing the industry of the interest the Department of Justice has taken in the case to the extent of calling up on the telephone Governor Moses to make the position of the Department known, quotes a member of the staff of the Attorney General as follows:

"We, at the Department, do not feel the Federal Government has a right to do that [to ask the Governor to delay his signature to give the U. S. Supreme Court a chance to act]. We merely stated the fact that the Supreme Court was sitting in the case and that a repeal at this time would be a tacit break for us, but did not ask him to act one way or the other."

Explanations intended by Governor Moses to serve as a justification for his signing the repeal bill are coming in: *Film Daily* of February 23, states the following:

"Reliable sources indicated that the repeal was the result of retaliation measures by the present administration in North Dakota, aimed at former Governor Lang's regime. It was said that Governor Moses' administration sought to repeal many of the laws passed by the previous regime and that the divorce law was one of them."

If this purported explanation represents the only motive for the passage of the divorce law, why should the leaders of the present North Dakota Legislature have said that the bill had been passed under "peculiar" circumstances, and that the legislators had voted for the bill under a misapprehension, with no idea that the divorce act was involved? If the present regime had voted in retaliation against its predecessor, there certainly would have been no "misapprehension" or "misunderstanding" as to the nature of their actions.

In the same issue of the *Film Daily*, Governor Moses is reported as having said, when he signed the repeal bill: "Since this law already cost \$2,000 in taxpayers' money, and may cost several thousand more, I can see no apparent reason or benefit to the state for further expenditures along this line. While this may inconvenience the federal government, it will not end their case, so I sign this bill after careful study."

The purported reason of the Governor, too, seems peculiar. He sets the cost of the divorce law to the State of North Dakota at \$2,000, which amount would include all the expenses connected with the law from the time of its introduction to the Legislature as a bill, to its present status in the U. S. Supreme Court, where its constitutionality was to have been determined. Certainly, if the cost to date had been only \$2,000, the additional cost to conclude the test of the law's constitutionality, a matter only of appearing before the Court to argue the case, should have been but a small fraction of \$2,000, and not, as the Governor says, "several thousands more."

It is significant also that, although the Governor mentions the possible inconvenience to the federal government, he fails to mention the embarrassment and the resentment of the Legislature, which was bound to result from the Governor's having made their mistake irrevocable.

After all, the situation was, in substance, that the Legislature had passed an act through a mistaken idea of its nature and purpose; the Legislators wanted to rectify their mistake, but the Governor, by signing the bill, made this impossible.

And so, as predicted by HARRISON'S REPORTS, words are being spoken about the North Dakota repeal measure, but it seems as if much more is yet to come.

EXAGGERATED ADVERTISING

The February 16 issue of *Motion Picture Herald* contains a four-page insert advertising Paramount films.

The first page is devoted to advertising "One-Third of a Nation," the picture that wasn't produced by Paramount but is released by this company.

The advertisement consists of the reproduction of a still,

taken on the night of the opening of the picture, with the following wording:

"Crowds jam Broadway as Paramount's '... one third of a nation ...' starts off world premiere at popular prices at New York Rivoli Theatre."

Those who will examine the reproduction carefully will see two significant things: few persons seem to be buying tickets, for the faces of the people on either side of the box office are turned outward, evidently watching either the camera or the arrival of some celebrities; and some people are holding umbrellas over their heads, indicating plainly that it was raining, and that they and others had gone under the marquee presumably to avoid the rain.

At the premiere showing of a picture, large numbers of curious people gather in front of the theatre to watch the celebrities going in.

The still Paramount took and reproduced on the trade-paper pages had two advantages: it was taken on the opening night of the picture, and it was raining.

Incidentally, the picture "One-Third of a Nation" played only one week.

There was a time when a statement from Paramount meant something—an exhibitor could rely on it. Times have changed, however, if Paramount resorts to an advertising expedient such as described, in order to lead the exhibitors to believe that certain of its pictures draw when they really should be tucked away on the shelves of a film vault.

WHAT ONE OF THE SKOURAS BROTHERS THINKS OF DARRYL ZANUCK'S MOVE

Mr. Spyros Skouras, President of National Theatres, had this to say about Mr. Zanuck's action of taking Tyrone Power off radio:

"I am greatly in favor of Mr. Zanuck's action. I only hope the movement will spread. There are entirely too many picture stars appearing on the air at the present time. Theatres are badly hit, especially on Sunday, the day that most theatres depend upon for 40% to 50% of their week's gross. It is high time that the studios realize that the exhibitors, their customers, are the chief sufferers of the avalanche of film players on the air."

Of course, the withdrawal of one motion picture star from the large number of radio programs employing almost every motion picture star of prominence can have little effect in remedying the evil against which Mr. Zanuck's action was directed. This evil can be remedied only by the withdrawal from radio programs of every important motion picture star, for so long as these stars remain on the air they will constitute the greatest competition with the theatres, the very medium through which the stars had originally become popular; and should they lose their popularity through too frequent appearances on the radio they will find that the theatres have become powerless to help them regain it.

The movement to withdraw movie stars from the radio, now gathering momentum, will, if carried out, prove beneficial, not only to the producers and to the exhibitors, but also to the stars themselves.

"AMEN" SAY WE

The following is copied from the February 18th issue of Welford Beaton's *Hollywood Spectator*:

"Writing about film conditions in England, the editor of *Film Weekly*, London, makes some remarks which can be applied with equal pertinence to Hollywood: 'Now, more than ever, this country needs producers who can realize that films are made out of something more than a banker's note with a string of noughts on it. Anybody can make a bad film with a lot of money. Nobody can make a good film even without a lot of brains.' I might extend the remarks by stating that nobody with a lot of brains can make a good film even with a lot of money when he is under the domination of someone who lacks a lot of brains."

The heading of this editorial is, "SAYING A MOUTHFUL." The editor could not have chosen better words to express this universal truth.

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Devoted Chiefly to the Interests of the Exhibitors

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Columns, if It is to Benefit the Exhibitor.

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SATURDAY, MARCH 11, 1939

No. 10

IMPORTANT DETAILS OF THE DALLAS CASE

Some exhibitors have written me asking me to inform them in which way the Federal Government's victory in the Dallas case can apply to their individual situations.

Since I am not a lawyer, I cannot advise them on the subject. Nor do I feel that a lawyer's opinion will be an infallible guide, for, to begin with, the Government's victory, technically, applies only to theatres in the jurisdiction of the District Court for the Northern District of Texas. Then, again, it relates to a conspiracy covering the fixing of minimum admission prices, as well as the prohibition against double-features in subsequent-run houses; and it is difficult to prove conspiracy. On top of this, it will be for the court to say, in each case that may be brought by an exhibitor, whether the facts come within the ruling of the U. S. Supreme Court.

I feel, however, that a restatement of the facts on which the Supreme Court based its decision in that case will give a definite inkling as to the rights, not only of these exhibitors, but also of all others. For this reason, I am giving the most important of such facts:

On July 11, 1934, Mr. R. J. O'Donnell, of Interstate Circuit, Inc., and Texas Consolidated Theatres, sent the following letter to the Paramount, Warner Bros., RKO, and to other distributor branch managers:

"Gentlemen:

"On April 25th, the writer notified you that in purchasing product for the coming season 34-35, it would be necessary for all distributors to take into consideration in the sale of subsequent runs that Interstate Circuit, Inc., will not agree to purchase product to be exhibited in its 'A' theatres at a price of 40c or more for night admission, unless distributors agree that in selling their product to subsequent runs, that this 'A' product will never be exhibited at any time or in any theatre at a smaller admission price than 25c for adults in the evening.

"In addition to this price restriction, we also request that on 'A' pictures which are exhibited at a night admission price of 40c or more—they shall never be exhibited in conjunction with another feature picture under the so-called policy of double-features.

"At this time the writer desires to again remind you of these restrictions due to the fact that there may be some delay in consummating all our feature film deals for the coming season, and it is imperative that in your negotiations that you afford us this clearance.

"In the event that a distributor sees fit to sell his product to subsequent runs in violation of this request, it definitely means that we cannot negotiate for his product to be exhibited in our 'A' theatres at top admission prices.

"We naturally, in purchasing subsequent runs from the distributors in certain of our cities, must necessarily eliminate double featuring and maintain the maximum 25c admission price, which we are willing to do.

"Right at this time the writer wishes to call your attention to the Rio Grande Valley situation. We must insist that all pictures exhibited in our 'A' theatres at a maximum night admission price of 35c must also be restricted to subsequent runs in the Valley at 25c. Regardless of the number of days which may intervene, we feel that in exploiting and selling the distributors' product, that subsequent runs should be restricted to at least a 25c admission scale.

"The writer will appreciate your acknowledging your complete understanding of this letter."

At that time most of the independent theatres charged less than twenty-five cents for admission, and showed two features on the same bill.

Since the branch managers did not have the authority to accept such terms, they referred the demands to their respective home offices.

There followed conferences between Messrs. Hoblitzelle and O'Donnell and the branch managers, in which took part also home office executives, the outcome being an agreement on the part of the distributors to grant, with one or two exceptions, the O'Donnell demands.

Though only two distributors put these concessions in their contracts, at the trial, which resulted from the U. S. Government's suit, it was established that all the distributors carried these demands out during the 1934-35 season.

The court, as you already know by this time from what has been said, not only in HARRISON'S REPORTS but also in other industry journals, concluded that the agreement of the distributors with each other, and between them and Interstate as well as Consolidated, constituted a combination and conspiracy in restraint of interstate commerce, in violation of the Sherman Act. Consequently the Dallas District Court restrained the defendants from enforcing these restrictions upon subsequent-run exhibitors. This restraint, the U. S. Supreme Court, to which the case was appealed, upheld.

In their appeal, the distributors asserted that the District Court's findings of agreements and conspiracy among them to impose the aforementioned restrictions were not supported by the court's subsidiary findings and by the evidence; that the contracts between Interstate and Consolidated on the one hand, and the distributors on the other, were within the protection of the Copyright Act, and for that reason they were not violations of the Sherman Act; and that the restrictions complained of by the Government did not restrain unreasonably interstate commerce within the provisions of the Sherman Act. But the majority of the U. S. Supreme Court rejected these excuses and found against the defendants. "The trial court," said the opinion in one part, "interpreting the letter in the light of the whole evidence, which showed unmistakably that one purpose of both demands was to protect the first-run houses from competition of subsequent-run houses, concluded that the substance of the proposals in one case as in the other was that the restrictions upon the subsequent-run theatres were to be imposed only in the same city in which the first run occurred. . . ."

In regards to the producers' assertion as to the protection afforded by the copyright, a great deal of what the Supreme Court said was printed in last week's HARRISON'S REPORTS. Consequently, no further comment is necessary.

If the restrictions imposed upon any one of you are in substance similar to those that were imposed upon the independent exhibitors within the jurisdiction of the Dallas District Court, perhaps you have a cause for complaint. But instead of resorting to court proceedings at once, why not take the matter up with the home offices of the companies with which you are doing business, to see whether your complaint can be looked into and justice done to you? A considerably different spirit is prevailing among the distributors now, and you might be able to have the injustice

(Continued on last page)

**"The Adventures of Jane Arden" with
Rosella Towne, William Gargan
and James Stephenson**

(Warner Bros., March 18; time, 58 min.)

A fair program melodrama. It should please action fans, for the pace is fast and at times the action is exciting. According to the Warner home office, this is the first in a series of pictures to be produced around the character of "Jane Arden." Better stories will have to be used if the producers hope to build it into popular fare; this one lacks plausibility. The performances are, however, good; Rosella Towne makes an attractive "Jane Arden" and, with proper handling, may become quite popular. Dennie Moore is amusing as the heroine's nitwit friend. The romance is just hinted at:—

When a society girl is found murdered, Rosella Towne, a newspaper reporter, forms her own theories about the case. Knowing that the victim had been impoverished, Miss Towne realizes that she must have been connected with a jewel smuggling ring in order to make enough money to keep up appearances. She visits the jeweler (Pierre Watkin) whom she suspected, offering to sell him stolen jewelry. After a conference with his partner (James Stephenson), Watkin offers Miss Towne a proposition to work with them on a smuggling job, which she naturally accepts, hoping thereby to trap them. Following instructions, she sets sail for Bermuda, accompanied by Stephenson and his girl friend (Peggy Shannon). In the meantime, Watkin, learning who Miss Towne really was, cables the news to Stephenson. William Gargan, the managing editor of Miss Towne's newspaper, escapes from a trap set for him by Watkin, and flies to Miss Towne's help, after first supervising Watkin's arrest. Watkin admits that Stephenson had killed the society girl. Stephenson is captured. Miss Towne and Gargan, who were in love with each other, set sail for home.

Lawrence Kimble, Charles Curran and Vincent Sherman wrote the original screen play, Terry Morse directed it, and Mark Hellinger produced it. In the cast are Benny Rubin and Edgar Edwards.

Not for children. Suitability, Class B.

**"Blackwell's Island" with John Garfield,
Rosemary Lane and Stanley Fields**

(First National, March 25; time, 70 min.)

A good gangster-prison comedy-melodrama. Although John Garfield is the star and gives a good performance, the outstanding part is played by Stanley Fields, as a tough gangster given to practical joking. He gives an excellent performance, alternating between viciousness and foolishness realistically. It seems as if the part dealing with the corrupt prison system was based on the scandal that broke a few years ago regarding corruption on Blackwell's Island, when it was under the control of a vicious gangster. These scenes are both dramatic and amusing. The romance is mildly pleasant:—

Garfield, a newspaper reporter, writes disparaging articles about Stanley Fields, a notorious racketeer, thereby incurring his enmity. One of Fields' rackets was a "protective" association for fishermen. When one of the men refused to join they beat him up, and later at the hospital warn him that if he should testify they would kill him; they beat up also a policeman (Dick Purcell), because he tried to help him. At the trial, Purcell persuades the man he had protected to testify. This brings about a conviction for Fields and two of his men, with a sentence of six months at Blackwell's Island. Fields, because of his political pull, runs the prison, living in luxury. He forces prisoners to pay him a substantial sum each week for food and privileges. Fields leaves the prison for nightly jaunts and, on one of these occasions, kills Purcell. Garfield, who was in love with Purcell's sister (Rosemary Lane), decides to investigate. He brings about his own arrest, and is sent to the prison. There he finds out what was actually going on. Fields plans to kill him, but Garfield manages to escape. With the evidence he had, Garfield convinces Victor Jory, new prison superintendent, that something should be done. They raid the prison and restore order. Fields is tried and convicted on a murder charge; he is sent to a federal prison for life.

Crane Wilbur and Lee Katz wrote the story, and Crane Wilbur, the screen play; William McGann directed it, and Bryan Foy produced it. In the cast are Morgan Conway, Peggy Shannon, Lottie Williams, Charles Foy, and others.

Unsuitable for children. Adult fare. Class B.

**"Blondie Meets the Boss" with Penny
Singleton and Arthur Lake**

(Columbia, March 8; time, 74 min.)

Moderately amusing family fare. Compared to the first picture in the "Blondie" series, this one rates somewhat below the other in entertainment value. The pace is slow, actually draggy in spots; and some of the situations are forced to provoke laughter. What was comical in the first picture, seems slightly silly by repetition. The performances are good, entirely in keeping with the characters portrayed. Both the hero and the heroine occasionally act like nitwits, but one feels sympathy for them. One of the most comical situations is that in which the hero accidentally wins a jitterbug contest:—

Dagwood (Arthur Lake) and his wife Blondie (Penny Singleton) plan to leave on a vacation with Baby Dumping (Larry Simms). When Mr. Dithers, his employer (Jonathan Hale) informs him that he would have to postpone his vacation, Dagwood is annoyed and resigns. Blondie goes to see Mr. Dithers to ask him to take Dagwood back; instead of doing that, he engages Blondie to take her husband's place. This so enrages Dagwood that he goes off on a fishing trip with a friend. But when two girls join the party, Dagwood leaves in haste. He and his wife are reconciled. But trouble starts again when Blondie finds a picture of Dagwood with one of the girls; she decides to leave him. In the meantime, she neglects to take care of the deal which Mr. Dithers had left in her care. But this works out for the best; Mr. Dithers, upon his return, is overjoyed to learn that she had not bought the property he had asked her to, for as it turned out the plans for an airport on that property had been abandoned. Dithers is so happy that he re-engages Dagwood. Everything is adjusted.

Kay Van Riper and Richard Flournoy wrote the story, and Richard Flournoy, the screen play; Frank R. Strayer directed it, and Robert Sparks produced it. In the cast are Daisy the dog, Dorothy Moore, Don Beddoe, Inez Courtney, Skinnay Ennis and his band, and others.

Suitability, Class A.

**"Mystery Plane" with John Trent, Marjorie
Reynolds and Milburn Stone**

(Monogram, March 8; time, 60 min.)

A good melodrama, with plentiful exciting action. It is the first in a series of pictures to be made from the popular cartoon strip called "Tailspin Tommy." Considering the fact that all the children (and even adults) read this strip daily, there should be a ready-made audience eager to see it. They will not be disappointed, for, as in the cartoon strip, "Tailspin Tommy" is presented, not only as a daring pilot, but also as a courageous man. The closing scenes, in addition to being thrilling, touch one's emotions because of the sacrifice made by a character known as "Buddy" (Pete George Lynn), who, incidentally, gives an excellent performance. The romance and comedy are pleasant, without interfering with the action:—

Tommy, at the age of ten, worships Captain Brandy, famous stunt flyer, whose war career he had followed closely. He is overjoyed when, at a fair, he personally meets the famous flyer. Fifteen years later, Tommy (John Trent) is a famous stunt flyer. Working with him on his new bombing invention are his two childhood pals, Skeeter (Milburn Stone) and Betty Lou (Marjorie Reynolds); they are financed and managed by Paul (Jason Robards). Their first test for the benefit of Army officials is successful. But this test had been seen by Winslow (Lucien Littlefield), an international agent and gangster. Through a trick, he kidnaps Tommy, Skeeter, and Betty Lou, threatening them with death unless they gave him the plans for the new bomber. Tommy is shocked to find that Brandy, who had taken to drink, was one of the gang. Brandy is heartbroken at the fact that he was unable to do anything to help Tommy. Finally they escape, and start off in a plane owned by Winslow. Winslow pursues them, compelling Brandy to fly the pursuit plane. But Brandy, instead of following orders, plunges the plane into the sea, bringing death to the gang and to himself. Tommy's plans are accepted by the Army.

Hal Forest wrote the story, and Paul Schofield and Joseph West, the screen play; George Wagner directed it, and Paul Malvern produced it. In the cast are Polly Ann Young, John Peters, Betsy Gay, and others.

Suitability, Class A.

"I Was a Convict" with Barton MacLane and Beverly Roberts

(*Republic, March 6; time, 63 min.*)

Just a mildly entertaining program comedy-melodrama. The story, which is a hodge-podge of unbelievable situations, fails to hold one's interest. For one thing, the leading characters, ex-convicts, do little to win one's sympathy. The hero, for instance, constantly refers to the fact that he was waiting for his chance to steal a large sum of money from his former cell-mate, a wealthy man, who had gone to prison on a charge of income tax evasion, and who, when released with the hero, had given him a responsible position in his firm. Because of this, the spectator naturally feels little sympathy for the hero. It is not until the end that he decides that honesty is the best policy, but by that time one does not care what happens to him. The melodramatic situations are the result of the actions of two escaped convicts, who try to force the hero to open his employer's safe, to give them the \$98,000 payroll money. Infuriated when the hero outwits them, they later kidnap the employer and hold him for ransom. The hero, who by this time was touched by the faith his employer had shown in him, risks his life to save him. Not only does the hero win a promotion, thus outwitting the scheming general manager who had tried to ruin his employer, but also the hand of his employer's daughter, who had fallen in love with him.

Robert D. Andrews wrote the story, and Ben Markson and Robert D. Andrews, the screen play; Aubrey Scotto directed it, and Herman Schlom produced it. In the cast are Clarence Kolb, Janet Beecher, Horace MacMahon, Ben Welden, and others.

Not for children. Class B.

"Oklahoma Kid" with James Cagney, Rosemary Lane and Humphrey Bogart

(*Warner Bros., March 11; time, 80 min.*)

Because of the present popularity of outdoor melodramas and of James Cagney's drawing power, this should do very good business at the box-office. As to its entertainment value, it is good as far as Westerns go; it offers, however, nothing startling in the way of novelty of plot or of action, relying for its "punch" on the usual ingredients that are typical of westerns,—that is, lawlessness, fast horseback riding, and thrilling fist fights. One situation, although used before ("Cimarron"), is still an exciting thing to see; it shows the settlers racing in their covered wagons or on horseback to claim land set aside by the government for new settlers. In spite of the fact that Cagney gives a good performance, he somehow seems out of place in the part of the western bad man; he lacks fire, particularly in the emotional scenes. The romance is played down:—

Cagney, who had run away from home at an early age because he wanted to live a free and easy life, finds his father (Hugh Sothern) and brother (Harvey Stephens) heading a group of settlers, who were waiting for the government's signal to race towards new land which they could claim; they do not acknowledge their relationship. He becomes acquainted with Rosemary Lane, daughter of a Judge (Donald Crisp), who, too, was going to the new land. Humphrey Bogart and his gang sneak over to the new land, staking their claims before the legitimate settlers could arrive. In order to preserve peace, Sothern is compelled to give Bogart written permission to open saloons for gambling and drinking. Cagney arrives in town; when he starts spending new silver dollars, Bogart recognizes it as the money he and his gang had stolen from the government wagon, but which Cagney had in turn stolen from them. After a gun fight, Cagney escapes. Bogart, tired of Sothern's interference in his business, frames him on a murder charge. Cagney breaks into the jail, begging his father to escape, but he refuses. The news leaks out about Cagney's attempt and about his relationship with the prisoner, and Bogart uses that as a means of stirring up the crowd to a frenzy. As a result, they hang Sothern. Cagney sets out to get the five men responsible for it. He kills three, brings back the fourth a prisoner, and then goes after Bogart. Stephens rushes to his assistance; but Bogart shoots him. Although wounded, Stephens kills Bogart and then dies. Cagney decides to settle down, with Miss Lane as his wife.

Edward E. Paramore and Wally Klein wrote the story, and Warren Duff, Robert Buckner, and Edward E. Paramore, the screen play; Lloyd Bacon directed it. In the cast are Charles Middleton, Edward Pawley, Ward Bond, and others.

The killings and robberies make it unsuitable for children. Class B.

"The Star Reporter" with Warren Hull and Marsha Hunt

(*Monogram, February 22; time, 62 min.*)

A fair program newspaper-racketeer melodrama. The story is interesting, holding one in fair suspense. It is helped along by competent direction and good acting. The closing scenes are the most exciting; there the criminals are rounded up. The romance is appealing:—

Wallis Clark, district attorney, pledges himself to fight crime. He obtains a written confession from Morgan Wallace, a criminal, admitting that he had killed a man. Warren Hull, newspaper publisher engaged to Clark's daughter (Marsha Hunt), promises to work with him. But when the district attorney learns from Hull's mother (Virginia Howell) that Wallace had been her first husband, and, unknown to any one, the father of Hull, he decides to go easy, knowing that Wallace would use the information to disgrace Hull. Hull, not knowing the reason for Clark's sudden change, starts blasting him in his newspaper. In the meantime, another criminal steals the confession from the District Attorney, using it as a means of blackmail. But Wallace, who had been released on bail, gets the confession, killing a man while doing it. Miss Hunt, who, too, had tried to obtain the confession, is arrested for the murder. Hull learns the truth; he goes to Wallace and tells him of their relationship. This softens Wallace. He signs another confession, clearing Miss Hunt, and listing the names of all the gangsters and the crimes they had committed. In a gun fight with a crooked lawyer who tried to get the confession, Wallace is killed. The police arrive in time to arrest the lawyer and to save Hull. Hull and Miss Hunt marry.

John T. Neville wrote the original screen play; Howard Bretherton directed it, and E. B. Derr produced it. In the cast are Clay Clement, Paul Fix, and others.

Unsuitable for children. Class B.

"Spirit of Culver" with Jackie Cooper and Freddie Bartholomew

(*Universal, March 10; time, 90 min.*)

Good entertainment. It is a remake of "Tom Brown at Culver," produced by Universal in 1932; and, as in the first picture, it has the ingredients for mass appeal. Human interest is awakened by the sympathy one feels for the young hero. Particularly appealing are his actions towards the end, when he shows willingness to give up comfort and schooling in order to help his father. The situation in which father and son first meet, the relationship being unknown to the son, touches one's emotions. There is plentiful comedy; most of the laughter is provoked by the actions of the young boys at the military academy. Except for a puppy love affair involving Freddie Bartholomew, which is quite amusing, there is no romance:—

Penniless and embittered by his inability to obtain work, his only possession being a Congressional Medal of Honor his mother had received when his father had died in France during the war, Jackie Cooper is compelled to stand on line with other boys for free food donated by the American Legion. Andy Devine, the legionnaire in charge of the kitchen, takes a liking to him and gives him a job as assistant dishwasher. When Devine learns that Cooper's father had been the surgeon who had operated on him in France, he is happy that he had helped him. The American Legion decides to send Cooper to Culver Military Academy. Cooper's attitude, however, does not change; he goes to the school merely because it meant he could have three meals a day. But his association with the boys, in particular with Freddie Bartholomew, changes him, and in a short time he comes to love the life. Devine is shocked one day to find that Cooper's father (Henry Hull) was alive. Hull tells him that, suffering from shell-shock, he had deserted and had wandered around the world ever since. Devine puts him in a veterans' hospital under an assumed name, and, on a pretext, gets Cooper there so that Hull could see him. Hull, who had run away from the hospital, intent on disappearing so as not to spoil his son's life, cannot resist the impulse to visit the boy at the Academy. After his departure, Cooper realizes that he was his father, and rushes after him. He insists on leaving town with him. But the timely arrival of Devine, who informs Hull that he had obtained an honorable discharge for him from Washington, compel both to alter their plans. Cooper is joyous at being able to go back to school.

George Green, Tom Buckingham, and Clarence Marks wrote the story, and Nathanael West and Whitney Bolton, the screen play; Joseph Santley directed it, and Burt Kelly produced it. In the cast are Tim Holt, Gene Reynolds, Kathryn Kane, Jackie Moran, and others.

Suitability, Class A.

removed in such a manner. Just state the facts of your case and the reasons for your complaint in as plain language as possible, showing where the injustice is committed, and send them to the proper home office. You will find the address of each company in the HARRISON'S REPORTS Index.

In the old days, your complaint would be, no doubt, thrown in the waste-paper basket; but the producers have had so many law suits lately that they are, I am sure, fed up with them. Besides, the Government's suit has had a sobering effect on them, and even on their lawyers.

If you so desire, you might send a copy of your complaint also to this office so that, in case no action is taken, the writer might be able to intercede for you.

TRADE PRACTICES NEGOTIATIONS AT A STANDSTILL

On March 1, the authority of the Allied committee negotiating with the distributor committee for the adoption of fair trade practices expired, and since the Allied board of directors will not meet, its authority cannot be renewed. Consequently, official negotiations with the Allied organization through this committee cannot be continued.

According to a statement from the Washington Allied headquarters, however, the distributors are free to submit whatever further proposals they see fit to make, and the General Counsel of the organization will forward them to the board of directors by mail for whatever action they may decide to take.

The latter part of January, Allied counsel was asked to redraft the distributor proposals in a language that would be clear to the exhibitors, and on February 7 he submitted his revised draft; it embodied not only an alteration in phraseology, but also an outline of the principles, machinery and procedure of a proposed arbitration system.

Since that time, Mr. Myers has been advised by distributor representatives that the distributor committee will soon submit to Allied the final draft. But so far no new draft has been submitted. There is no question, however, that one will be submitted soon, even though Messrs. Rodgers and Kent are on the Coast, conferring with production executives.

THE MERCIFUL EFFECT OF THE NEELY BILL ON THE POCKETBOOKS OF THE PRODUCERS

In the February 17 issue of *The Hollywood Reporter*, W. R. Wilkerson discusses the incident of a producer-director who told him that he was asked to start shooting a picture before the script was ready, and of his fear that the picture would, under such circumstances, cost \$500,000 more.

According to Mr. Wilkerson, the picture was produced, but it cost, not \$500,000, but \$780,000 more.

In the same editorial, he says: "Recently, two studios have been forced to shelve what should have been, two very important pictures, each for a loss of better than \$1,000,000 because they started production with practically no script."

Mr. Wilkerson asks: "Has any one ever found an intelligent reason for starting a picture before the script is finished?"

No, Mr. Wilkerson! There is absolutely no intelligent reason why a producer should start a picture, particularly when it is to cost at least \$500,000, before the script is ready for shooting. Has any one ever heard of a builder starting the erection of a building that is to cost \$500,000 before the architect is ready with his plans? Without a finished script no unit producer can predict what twist the situations will take. Often he is compelled to "scrap" costly scenes, because the writer finds himself compelled to make alterations in the story. Quite often, the production crew is compelled to wait for the author to bring in a part of the story. And there is a payroll for that picture running into thousands of dollars a day; waiting for the author to bring in copy is a costly affair.

No unit producer can tell in advance how much a picture

will cost unless he has in his hands a script complete in every detail. It is only thus that he is able to break down his script and apportion the costs.

The Neely Bill, if passed, will correct such an unnatural situation, for the law will compel the distributor to furnish to the exhibitor a true synopsis of the story, containing the main outlines. Moreover, the pictures will then be sold on their individual merits rather than on the merit of the entire block, each picture bringing in only what it is worth. The company that will permit its producers to waste half of the picture's budget, through either carelessness or incompetence, will soon find itself confronted with the necessity of getting rid of those responsible for the waste. Consequently, under a law such as that which has been proposed by Senator Neely, the producers should save millions each year, savings which will bring relief, not only to the film companies themselves, but eventually also to the exhibitors.

Mr. Wilkerson has opposed the Neely Bill all along, but he does not say how the conditions he complains against may be remedied.

THE STATUS OF "THE LADY VANISHES"

An exhibitor has informed this paper that the 20th Century-Fox branch manager of his territory is trying to compel him to play "The Lady Vanishes" under his 20th Century-Fox contract.

"The Lady Vanishes" is not a 20th Century-Fox picture; it is a Gaumont-British, and is so designated in the 20th Century-Fox release lists.

It is true that, under the contract, 20th Century-Fox may deliver to the contract holders four English-made pictures, but "The Lady Vanishes" does not come under such a classification: "English-made" means pictures produced in England by 20th Century-Fox, and not by some other concern. The proof that such is the meaning of this phrase may be seen in the contract's Eighth Clause, which reads as follows:

"The Distributor warrants that none of said motion pictures are . . . foreign produced by a foreign producer, except those specifically specified as such in the Schedule. . . ." And the Schedule fails to specify that "The Lady Vanishes" is not a foreign produced picture.

But there is no reason why those of you who may be able to obtain this picture at a satisfactory price should not play it, for it is one of the best pictures that has come out of British studios and should do credit to the theatres that will play it.

MORE "REMAKES"

In a recent issue, twenty-five pictures were listed as having been announced by different producers for remake.

Of the twenty-five, nine have been announced by Warner Bros. Here are two more that it will produce.

According to an item in the *New York Times*, this company is planning to remake "Twenty Thousand Years in Sing Sing," with John Garfield as the star. It was first produced in 1933 by the same company (First National), with Spencer Tracy as the star. It turned out a good entertainment, combining melodrama with human interest and comedy. But since that time there have been produced so many prison melodramas that a story such as this is no longer novel. It may, however, do well because of Garfield, who is gaining popularity fast.

An item in *Daily Variety* gives the information that Warners will remake also "Burning Daylight," the Jack London yarn. This story was produced first in 1914, by Paramount; in 1920, by Metro, with Mitchell Lewis as the star; and in 1928, by First National, with Milton Sills as the star—three times in all. None of the times did it set any exhibitor's box-office "afire," and it is doubtful whether it could be made into anything outstanding now. The "punch" is in the scenes where the hero is shown holding up the two millionaires at the point of a gun and taking away from them the millions they had cheated him of. Even though he may have been justified in doing so, it is not an edifying act. Errol Flynn may play the hero's part.

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SATURDAY, MARCH 18, 1939

No. 11

UNAUTHORIZED ALTERATIONS NOT BINDING AND MAY EVEN NULLIFY A CONTRACT

The March 8 *Service Bulletin*, published by Pete Wood, business manager of Independent Theatre Owners of Ohio, contains the following interesting news item under the heading, "Hard to Erase the Spots":

"We were just complimenting ourselves upon the improvement in the ethics of the industry when 'Up Pops the Devil' and gives us a resounding slap in the kisser.

"The 'devil' in this case is United Artists, who pulled a fast one by changing the price allocations in the Edward Small and Hal Roach current contracts. These changes were made after the exhibitor had signed the contracts (and without his permission), through the medium of an added provision 'rubber-stamped' upon the exhibitor's copy of the approved contract.

"It has been sometime since any major company resorted to an act of this nature and, as United Artists had absolutely no right to add this provision to the contract *without the express permission of the exhibitor*, we urge all exhibitors whose contracts were so changed to write to United Artists that, in the event fewer pictures than the number called for in the Small and Roach contracts are delivered, the total rentals for the delivered pictures shall not exceed the amount of the rental stated in the contracts.

"We ask each and every member who bought these pictures to look at his approved copy of the contract and advise this office if there has been added to the 'exhibitor's copy' of the contract a rubber stamp provision which does not appear in the 'Application for Contract' left with him at the time he signed the contract."

That any one in United Artists should resort to such tactics in these days is astounding.

If Mr. Wood's information is accurate, the alteration in the contract has occurred, either at the exchange, or at the Home Office; and has been made, not by a salesman, but by a responsible official.

United Artists owes an explanation of this incident to the independent theatre owners of the United States. As a matter of fact, Allied States should take a hand in this matter with a view to identifying the guilty official and passing his name along to the exhibitors.

Regarding Pete Wood's advice to the exhibitors of his territory as to what they should do in case

any of them have found their contracts altered, allow me to say that a clause inserted into the contract without the knowledge of the exhibitor is not binding. Under the laws of some states, I am informed, such contracts may be entirely nullified. Mr. Pete Wood should, therefore, find out what the law in this regard is in the State of Ohio, with the view of advising the members of his organization.

When your contract is altered by any distributor, irrespective of whether the alteration has been made by a minor or by a major official, just disregard the new provision, so informing the distributor; and if the exchange should try to compel you to live up to the provisions of the unauthorized alteration, you should notify this office to that effect.

PUBLIC BACKING OF AN INDEPENDENT THEATRE OWNER

According to *Main Line Times*, of Ardmore, Pennsylvania, the Bryn Mawr Business Association has appealed to the Department of Justice to order the operators of the Ardmore Theatre "and producers and distributors associated with them (Warner Bros.) to cease and desist" from discriminating against the Seville Theatre. Copies of the resolution were sent also to many United States Senators, as well as to most of the film companies.

The move of the Bryn Mawr Business Association was prompted by the suit that had been brought by Harry Fried, owner of the Seville, the Suburban, and the Anthony Wayne theatres, against the distributors who are now supplying films to the Ardmore, charging conspiracy in restraint of trade, as a result of their withholding all their films from his theatres until after they have been shown at the Ardmore.

According to this newspaper, a committee of the business association found indications of discrimination, detrimental to the interests of the community in that it affected Bryn Mawr's cultural advantages. It found that chain theatres "retain all options, privileges and prerogatives in the conduct of the business by controlling the date of exhibition of respective films and it appears to the committee that no remedy, other than an action at law, is available to correct this seeming discrimination against the citizens and the best interests of Bryn Mawr. . . ."

The Bryn Mawr Business Association has taken this action despite an address given to it by the manager of the Ardmore Theatre in an attempt to justify the company's policy, as bringing better pictures to the towns of the Main Line.

(Continued on last page)

**"The Flying Irishman" with Douglas
Corrigan, Paul Kelly and
Eddie Quillan**

(RKO, March 24; time, 71 min.)

Fair. This picture's box-office possibilities have been minimized by the length of time that has elapsed since Douglas Corrigan made his famous flight to Ireland; therefore, a strong exploitation campaign will be needed to put it across. As entertainment, it is strictly program fare, suitable mostly for aviation enthusiasts. Its appeal should be directed mainly to men and to children; the lack of a romance or of an absorbing plot makes it doubtful for women. Supposedly the story of Corrigan's struggles to become a famous aviator, the plot is developed in a simple way; parts of it are narrated in the form of a newsreel, but for the most part it is acted out.

The story starts with Corrigan's home life as a young boy. Constant bickering between his mother (played by Dorothy Peterson) and his father (J. M. Kerrigan) finally resulted in his father's leaving home. Faced with the necessity of helping his mother support his younger brother and sister, Corrigan had to give up the thought of going to college. Instead he worked hard; following a promise he had made to his mother before she had died, he sent his brother (Eddie Quillan) to college. There was only one thing Corrigan wanted to do, and that was to learn how to fly. While working at an aeroplane factory, he made friends with a one-time war ace (Paul Kelly), who gave him instructions. Corrigan's hardest times followed then; in company with his brother, who had left college, he barnstormed the country in a cheap plane he had bought with the money he had inherited from his father. His one desire now was to become a transport pilot; but there were many requirements. Until Corrigan could earn enough money to meet one, new requirements would crop up. Desperate, he finally decided to do something spectacular, which resulted in his flight to Ireland in a nine-year old plane that he owned. His success brought about the desired result.

Ernest Pagano and Dalton Trumbo wrote the screen play, Leigh Jason directed it, and Pandro S. Berman produced it. In the cast are Robert Armstrong, Gene Reynolds, Donald MacBride, Scotty Beckett, and others.

Suitability, Class A.

**"The Ice Follies of 1939" with Joan
Crawford, James Stewart
and Lew Ayres**

(MGM, March 10; running time, 81 min.)

A very good box-office attraction. This is due, not only to the pleasant romantic story, as well as to the drawing power of the stars, but also to the novel way in which the ice-skating routines have been staged. The skating troupe, headed by the well-known team of Bess Ehrhardt and Roy Shipstad, performs with skill, blending comic numbers with thrilling ones. Particularly impressive are the closing scenes, photographed in technicolor; they have an extremely lavish background. The skating, costuming, and form of presentation are unusually good. Human interest is awakened by the sympathy one feels for both hero and heroine:—

Feeling that she could help her husband (James Stewart) and his friend (Lew Ayres), ice-skating partners who were out of work, Joan Crawford obtains a position as a motion picture actress. Ayres refuses, however, to be supported; he leaves for the East, in an effort to procure bookings. Stewart is miserable at the separation. At first he accepts Miss Crawford's work good-naturedly, doing the housework and cooking. But once she becomes famous, his pride is hurt. He leaves her, promising to return when he, too, would be successful. His plans for an "Ice Follies" revue finally take form, and in a short time, bookings start pouring in. But their work keeps them apart. Unable to bear the separation any longer, Miss Crawford decides to give up her career. Lewis Stone, the studio head, thinks of a better plan. He signs up Stewart's troupe for motion picture work, at the same time engaging Stewart as the producer of Miss Crawford's pictures, thus bringing happiness to the reunited pair.

Leonard Praskins wrote the story, and he, Florence Ryerson, and Edgar Allan Woolf, the screen play; Reinhold Schunzel directed it, and Harry Rapf produced it. In the cast are Lionel Stander, Charles D. Brown, and others.

Suitability, Class A.

**"Trouble in Sundown" with George O'Brien
and Rosalind Keith**

(RKO, March 24; time, 60 min.)

A good program Western. Although the story is routine, the action is fast-moving and thus one's attention is held well. The fast horseback riding and the exciting fist fights should satisfy the Western fans. As for others, there is a sprinkling of comedy, a few musical interpolations, and a pleasant romance. George O'Brien plays the crusading ranch owner's part with conviction:—

O'Brien arrives at the village in time to stop an angry crowd from lynching the bank president, whose safe had been robbed of \$90,000, and who was supposed to be the only one who knew the combination. They had been urged to take the law into their own hands by the crooks themselves, who posed as honest citizens. O'Brien, who was in love with the president's daughter (Rosalind Keith), sends him to a hideout. But the villain's men follow him there and try to force him to sign a confession, their intention being to kill him. O'Brien arrives with a deputy; the crooks shoot and kill the deputy, making it appear as if the crime had been committed by the president, who later gives himself up. At the trial, O'Brien thinks of a plan to trap the villain leader (Cyrus W. Kendall). His plan works and the president's innocence is established. Kendall and his men are arrested, and law and order is restored to the village. O'Brien and Miss Keith plan to marry.

Charles F. Royal wrote the story, and Oliver Drake, Dorrell McGowan, and Stuart McGowan, the screen play; David Howard directed it, and Bert Gilroy produced it. In the cast are Ray Whitley, Chill Wills, Ward Bond and Howard Hickman.

Suitability, Class A.

**"The Headleys at Home" with Evelyn
Venable and Grant Mitchell**

(Syndicate Exchanges; time, 59 min.)

A mildly pleasant program picture, suitable mostly for neighborhood theatres. It is a domestic comedy, in which the head of the house (Grant Mitchell) is harrassed by a socially ambitious wife (Betty Roadman). There is fair excitement and comedy in the closing scenes, when Miss Roadman, through a trick, entertains in her home a crook whom she believed to be a millionaire college friend of her husband's. The romance is mildly pleasant:—

Miss Roadman, proud of the fact that her husband (Mitchell) had gone to the same college as that attended by a nationally known millionaire, boasts to every one that her husband was a close friend of this millionaire. Mitchell tries to reason with her by telling her that he had had just a nodding acquaintance with the man. His two daughters (Evelyn Venable and Alicia Adams) sympathize with him. When Miss Roadman learns that the millionaire intended visiting their town, she prepares to entertain him. Miss Venable, realizing that her father did not know the man and, therefore, could not invite him, turns to her fiancé for help. He engages an actor to impersonate the millionaire at the party. But it develops that this actor was really a crook who, the day before, had robbed Mitchell's bank. At the party, Mitchell recognizes him from a mark on his hand. After some excitement, the crook is subdued and the money, which he had brought along with him in a suitcase, is recovered.

Carrington North and William Miles wrote the story, and they and Nicholas Bela, the screen play; Chris Beute directed it, and B. W. Richards produced it. In the cast are Robert Whitney, Vince Barnett, Benny Rubin, Louise Beavers, Kenneth Harlan, and Edward Earle.

Suitability, Class A.

**"Yes, My Darling Daughter" with Priscilla
Lane and Jeffrey Lynn**

(First National, February 25; time, 74 min.)

In the review printed in the February 25 issue of HARRISON'S REPORTS, the running time was given as 85½ minutes.

Since that time, several cuts have been made, bringing the running time down to 74 minutes. This new footage will be, according to the Home Office, nation-wide.

Incidentally, the original version was placed by the Legion of Decency in the "C" list; but with the deletions made the classification has been changed to the "B" list, which means objectionable in part.

**"Society Smugglers" with Preston Foster
and Irene Hervey**

(Universal, February 24; time, 70 min.)

An entertaining program melodrama; the acting and direction are capable, and the production values fairly good. The action, which centers around the efforts of treasury department agents to uncover a gang of jewel smugglers, is fast and at times exciting. Realizing the constant danger to the agents, one is naturally held in suspense. Although the story is not novel, several unusual twists have been used in the plot developments. The romance and comedy are pleasant additions:—

Irene Hervey, assistant to Preston Foster, treasury department agent, is assigned to work in a luggage store, whose owner (Clay Clement) was suspected of being a smuggler. When the luggage company sponsors a slogan contest, the winners to tour Europe, Miss Hervey and Foster suspect something. They substitute Regis Toomey, another agent, in place of one of the winners. By carefully watching Fred Keating, who had been sent to Europe along with the winners as the company representative, Toomey learns that Keating was smuggling jewels by placing them in the trunks belonging to the touring winners. But by this time Clement had discovered Miss Hervey's connection with the treasury department. Following orders of his chief (Walter Woolf King), who had fallen in love with Miss Hervey, Clement cables the news to Keating. Keating kills Toomey, throwing his body overboard. Eventually Foster traps Clement and King, forcing them to confess. Their work finished, Miss Hervey and Foster decide to marry.

Arthur Horman wrote the screen play, Joe May directed it, and Ken Goldsmith produced it. In the cast are Frank Jenks, Frances Robinson, Raymond Parker, Milburn Stone, and others.

Suitability, Class A.

**"Never Say Die" with Martha Raye
and Bob Hope**

(Paramount, April 21; time, 81 min.)

This comedy, bordering on slapstick, is good mass entertainment. The story, which is made up of gags, is thin; but that does not detract from the picture's entertaining quality, for the gags are extremely comical. One is kept laughing almost throughout. The most amusing situation is in the close, when Bob Hope and Alan Mowbray engage in a pistol duel. So comical is it that it should provoke uproarious laughter, leaving the spectator in a good mood. Bob Hope, Martha Raye, and Andy Devine manage to put the gags over in an amusing way without too much clowning or silliness. Miss Raye sings one song:—

Bob Hope, an American millionaire touring Europe, is constantly worried about his health; he imagines that he was suffering from all kinds of diseases. To add to his troubles, he is pursued by a fortune-hunting widow (Gale Sondergaard), who had killed her two previous husbands. Through an error, a chemist sends Hope his findings in an acidity test that really referred to a test given to a dog. Hope's doctor, upon reading the findings, is amazed; he informs Hope that he would dwindle away and die within sixty days. Feeling that he would like to do a good deed, he helps out Miss Raye, daughter of a millionaire Texas oil man, who wanted to marry her off to an impoverished nobleman (Mowbray), even though she loved Andy Devine, an American. Hope tells her that, since he would soon die, she could marry him, inherit his fortune, and then marry Devine. Complications arise—Devine arrives on the day of the marriage and insists on accompanying the newlyweds so as to keep a protecting eye on Miss Raye. Mowbray and Miss Sondergaard try to make trouble, but Hope pacifies them by telling them they were legatees under his will. But when it is discovered that the acidity test was not Hope's, and that he would live, Mowbray challenges him to a duel, which Hope wins. By this time he and Miss Raye are in love with each other; they are happy when Devine and Miss Sondergaard decide to marry.

William H. Post wrote the story, and Don Hartman, Frank Butler, and Preston Sturges, the screen play; Elliott Nugent directed it, and Paul Jones produced it. In the cast are Ernest Cossart, Sig Rumann, Paul Harvey, and others.

Suitability, Class A.

**"Whispering Enemies" with Jack Holt
and Dolores Costello**

(Columbia, March 24; time, 63 min.)

An unpleasant program melodrama. Although there is plentiful action, the doings of the characters are not such as to win one's sympathy. The hero's part is particularly unpleasant, for he is put in the position of a villain. Even though an effort is made to justify his actions, one cannot sympathize with him. The closing scenes, which take place in a prison, hold one in fair suspense:—

When his cosmetic business is ruined by a whispering campaign started by a rival concern, Jack Holt decides to use similar methods in order to ruin them. In company with his former business manager, Holt, under an assumed name, opens an advertising agency; his first client is a cosmetic concern. By means of a whispering campaign drive, he soon has his client's business soaring, at the same time bringing to a standstill the business of his former rival. But he does not stop with just this concern; he accepts clients in other fields, working on the same basis. Dolores Costello, owner of the rival cosmetic concern, who had been abroad and was unaware of what her managers had done to Holt, returns to find her own business in a bad way. She obtains a position as one of Holt's operatives and, when she has sufficient evidence against him, confronts him; he then informs her what her concern had done. When one of Holt's campaigns gets out of hand, he goes to the District Attorney and gives himself up; he is tried and sentenced to prison. After having stopped a prison break, he is paroled, joining Miss Costello in her business. They later decide to marry.

John Rawlins and Harold Tarshis wrote the story, and Gordon Rigby and Tom Kilpatrick, the screen play; Lewis D. Collins directed it, and Larry Darmour produced it. In the cast are Addison Richards, Joseph Crehan, Donald Briggs, Pert Kelton, and others.

Unsuitable for children. Class B.

**"Inside Story" with Michael Whalen
and Jean Rogers**

(20th Century-Fox, March 10; time, 60 min.)

A pretty good program melodrama. It holds one's attention well, for the action is fast and the story, for the most part, interesting. The first half is somewhat sordid and demoralizing; particularly so are the actions of the heroine, a hostess working at a "clip joint," who is shown openly stealing money from customers' wallets. But her reformation in the end, when she tries to make up for her former actions, is pleasing. Chick Chandler provokes laughter by his antics:—

Michael Whalen, a newspaper columnist, while intoxicated, writes an article about his being a lonely man. The article so pleases his editor, that he instructs Whalen to follow it up with an article asking the loneliest girl in town to get in touch with him, so as to arrange to spend the Christmas holidays in the country, properly chaperoned. Jean Rogers, who had become involved in the murder of a customer (John King), who had complained when she had stolen his money from him, decides to leave town. She answers Whalen's article and is accepted as the girl to spend the week-end with him. But Douglas Fowley, owner of the cafe where she had worked, follows her and forces her to return to the city. He tries to kill her. When Whalen learns the truth, he is disgusted for he had believed in Miss Rogers. But Miss Rogers promises to help him convict Fowley. At the trial, however, she testifies for Fowley, winning his release. She had done this just to help Whalen get more evidence he needed. Eventually Whalen discovers where King's body had been hidden; Fowley follows him there. But with the help of two women who lived next door to the hideout, Whalen is able to overpower Fowley. Fowley is arrested and Miss Rogers' name cleared. She and Whalen go back to the farm to spend an uninterrupted New Year's week-end there.

Ben Ames Williams wrote the story, and Jerry Cady, the screen play; Ricardo Cortez directed it, and Howard J. Green produced it. In the cast are Jane Darwell, June Gale, Spencer Charters, and others.

Not for children. Class B.

"The first round of the legal fight," says the paper, "was won when the court denied a motion by the defendants for a bill of particulars. The judge indicated he thought the move was an attempt to stall proceedings."

Mr. Fried's move is just what this paper has been advocating for many years—that sufferers from such discrimination should take the public into their confidence with a view to enlisting their support. By so doing, they may benefit, not only morally, but also financially: when an exhibitor arouses the public against an abuse and rallies it to fight with him, they cannot help attending the performances of his theatre and keeping away from the performances of the offending theatre. And an independent exhibitor has a wealth of reasonable argument why the public should line up with him in his fight against such opposition.

If your local situation is similar to that of Mr. Fried, write to the Bryn Mawr Business Association and obtain a copy of the resolution they have passed in his support, as well as whatever other information it can give you, and present them to your local association with a view to enlisting their support. A move such as this should prove beneficial even if you do not intend to bring suit for restraint of trade.

The producers should get out of exhibition in small towns.

A STRONG BLAST AGAINST CENSORSHIP

It was not so wise for the Censorship Commissioner of New York State to ban "Yes, My Darling Daughter!" as the subsequent action of the Board of Regents proved, for this Board, after suggesting some eliminations, which were made, passed the picture.

But censors must do something to show that they deserve the salary they get from their states, and to justify their existence.

Grasping the opportunity to point out to the American public how inconsistent with American liberties is censorship, Mr. Martin Starr, that enterprising commentator of motion pictures over the WJCA radio station, arranged for an anti-censorship symposium over that station; it was held at four o'clock on the afternoon of Wednesday, March 1. Messrs. Harry Brandt, the independent exhibitor, owner of a large number of theatres in and around New York, and Chester B. Bahn, formerly of the Syracuse Herald, and now editor of *Film Daily*, were the chief speakers. The writer, too, spoke his piece.

According to Mr. Starr, the anti-censorship tirade was received by the public, as well as by the motion picture industry, well. For this, Mr. Starr deserves the thanks of the independent theatre owners, who, after all, foot the bill of the censorship cost, even though indirectly.

Censorship is foreign to the character of Americans, for it gives an individual the powers of a dictator, and allows him to assume to speak for the people of an entire state, even though numberless residents of that state may be far superior to him in intelligence.

Censorship is an anachronism, and should be taken off the statute books, not only of this State, but of every other state where it exists.

THE ANNUAL ALLIED CONVENTION TO BE HELD IN MINNEAPOLIS

At the recent meeting of the Allied board of directors in Washington, it was voted unanimously that the next annual Allied convention be held in Minneapolis.

No date was set, but in all probability it will be held in the first half of June.

This year the gathering of the independent theatre owners to hear what the Allied leaders have done since last year's convention, and what they propose to do in the future, will have special significance, for they will have much of great interest to report.

There is the adjudication of the question of protection or clearance by the highest court of the land, when it is employed to protect the big circuits in their efforts to destroy independent competition: No circuit can again demand of the producers that they refuse to sell their product to subsequent-run theatres unless such theatres charge a price dictated by them; or that they forbid the independents from showing two features on the same bill, for the U. S. Supreme Court has, by its recent decision in the Dallas case, outlawed the granting of such demands. There is the Government suit, now pending in the Federal District Court, in New York City. There is the matter of theatre divorce legislation, particularly the case of the State of North Dakota. And there is the question of trade reforms, which seem to have bogged hopelessly.

You should make your plans to attend that convention now. If you miss it, you will have done yourself an injustice, for it will probably be the most enthusiastic convention that you will have ever attended.

CORRECTING WRONG TRADE PAPER IMPLICATIONS

Col. H. A. Cole, president of Allied States Association, issued the following statement on March 10, while in New York:

"Since casual remarks made in conversations with trade paper representatives have been misinterpreted, it becomes necessary that a formal statement to clarify my position be made.

"I certainly have not stated that Allied's position is one of 'no further negotiation.' I did state that, since the Distributor representatives had said at various times of late that they could go no farther in the matter of concessions, there was no further need at this time for further conversations between our Committee and theirs; also that the authority of our Committee lapsed as of March 1st by resolution of our Board. I did not state that our Counsel, Mr. Myers, would not visit New York to confer with the distributors' attorneys, regarding the wording of proposals made, but did state that I knew of no specific date set for such a meeting.

"After all these years, Allied's position on negotiation should be well known. We stand ready at any time to negotiate with those in authority regarding fair trade practices, if and when there is definite reason to believe that substantial results can be obtained warranting the time and effort expended."

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TELEVISION HAS ARRIVED

By the time you read this article, the Radio Corporation of America will have, I am sure, started selling television sets, and on April 30 the National Broadcasting Company will begin in the New York area their announced schedule of television broadcasts of a minimum of two hours weekly. How quickly such service will be started in other areas will depend largely on the success it attains in this area.

It is difficult to foretell just how the coming television service to the home will fit into the scheme of picture-theatre entertainment; but one fact is certain: television is here.

An opinion as to what the producers' attitude towards television should be was expressed in the fifth and last article of the television series, which appeared in the January seventh issue of HARRISON'S REPORTS; it may be re-expressed in two words: better pictures. The question now is what the attitude of the exhibitors should be. In the opinion of this paper, the logical attitude of the exhibitors should be to try to profit from it. In the early months, television's novelty value to the public will, in all probability, run high. For this reason, any lobby tie-in with it should prove successful. A television receiver might be installed in your lobby by arrangement with your nearest radio-receiver dealer, who no doubt plans to handle also television receivers.

This paper cannot advise you on the question of installing a television receiver into the theatre itself, for this would come under the heading of charging an admission price for television entertainment. This fact naturally involves legal questions that will not have been aired in the early stages of television activities. Six or eight months from now these may be settled, and you may be able to take a greater advantage of this invention. But right now you should be content with lobby tie-ins. Perhaps it will be such tie-ins that will eventually identify the relationship of the two entertainments, television and motion pictures.

THE MORSE & ROTHENBERG SUIT AGAINST THE MAJORS IN BOSTON

In the last ten weeks there has been held before Master Philip A. Hendrick, at the Federal Building, in Boston, the suit that Messrs. Morse and Rothenberg, of the M & R Amusement Co., have brought against the major distributors for the violation of the anti-trust law, seeking \$2,100,000 damages. Mr. George S. Ryan, of Boston, is the attorney for the plaintiffs. Mr. Ryan is the attorney who won the case of E. M. Loew against Paramount at the time Paramount was in receivership. Mr. Ryan is now attorney also for Mr. A. B. Momand and for other exhibitors, in Boston as well as elsewhere. The suit is not yet over.

At frequent intervals last year, Mr. Ryan was in New York taking depositions of the defendants, and thus was able to bring to light much valuable evidence.

At the opening session before the Master the last days of December, the prosecution entered among the first exhibits a telegram dated July 30, 1930, sent by Mr. C. C. Pettijohn to Martha W. Ferris, secretary of the Film Board of Trade of Boston, reading as follows:

"There is no doubt about the legality of basing protection first-runs on admission prices."

It was, of course, the substance of a belief that prevailed at that time; but subsequent court decisions destroyed that belief.

The plaintiff's chief complaint was the fact that he could not obtain film of any run. "For the season 1930-31," Mr. Ryan stated, "the plaintiff had no difficulty whatever in buying all the major product second-run, except Para-

mount. . . . The distributors were generally glad to get this additional revenue. . . .

"It so happened, however, that, during the first year, 1930-31, the plaintiff received his pictures very late. It was not able to get them until at least six months after first run. . . ."

Mr. Ryan attributed the long protection established to the fact that his client had as competitor the Maine & New Hampshire Theatre Co., which took such an unusual step so as to destroy the business of the plaintiff; also the following step:

"In February, 1931," Mr. Ryan stated, "they opened up the Portsmouth Theatre . . . that had been closed. . . . It was kept closed when there were only two theatres open. But now, with three theatres open, it is opened. It ran from February to June, 1931, at prices of 10 cents for matinee and 10 cents for evening.

"It ran on second run product of the major distributors. As a result . . . the plaintiff was forced to operate not second run but third run. . . . Its prices, Your Honor will note, were even lower than the prices of the plaintiff. . . ."

Mr. Ryan anticipated the defense by calling the Master's attention to the fact that, although the defendants would point to the plaintiff's low-admission prices as a reason for their refusal to sell to the plaintiff, yet they sold to the M & N H Theatre Co. second-run product at the Portsmouth to be shown at 10 cents for matinees and 10 cents and 15 cents for evening performances.

"I doubt if the Maine and New Hampshire Theatre Co. ever operated a theatre at such low prices except with the purpose of injuring a competitor. In the anti-trust laws, if Your Honor please, the resort to price-cutting to eliminate competition is well known. . . ."

Mr. Ryan then proceeded to inform the Master that the majors, during the 1931-32 season, refused to sell them any run of pictures whatever, and that they would not give any bona fide excuse for their refusal.

This paper intends to print whatever important breaches of good business ethics may have been or yet be revealed at this hearing. Wide publicity given to unethical business practices tends to eradicate them.

UNITED ARTISTS' HOME OFFICE DOES NOT APPROVE CONTRACT ALTERATIONS

In last week's issue there was reproduced from the *Service Bulletin* of Independent Theatre Owners of Ohio an article dealing with the alteration of a contract of an Ohio exhibitor by some United Artists executive after the exhibitor had signed it, and without his approval, calling upon United Artists to offer to the exhibitors of the United States an explanation.

Last week I had a talk with a Home Office executive and am in a position to assure you that United Artists had not approved, do not approve, and will not approve any contract alteration without the exhibitor's consent. They felt hurt deeply about the incident and, even though the responsible salesman made the alteration without any intention to defraud, they discharged him forthwith. This executive said to me: "We don't want in our employ any man who will cause the company so much humiliation." They are not the exact words, but the spirit is the same.

HARRISON'S REPORTS takes this opportunity of commending United Artists for the promptness with which they have acted in this matter to avoid misunderstandings with the exhibitors.

**"The Little Princess" with Shirley Temple,
Richard Greene and Anita Louise**

(20th Century-Fox, March 17; time, 91 min.)

Very good. Lavishly produced, with technicolor photography, this is the type of story that suits Shirley's talents excellently. Although the story is sentimental, it has human interest and delightful comedy; and the few musical interludes round it out as entertainment that should thrill children and please adults. Shirley has been surrounded by capable players; particularly appealing is Sybil Jason, as a cockney slavey who worships Shirley. One of the most delightful scenes is that in which Shirley, who had gone to bed cold and hungry, and had dreamed that she was a princess, awakes to find her garret room filled with beautiful things and a table set with hot food. The closing scenes are somewhat drawn out, in an effort to keep the spectator excited, but they end in a way to please one:—

Ian Hunter, a British Army Captain, leaves his motherless daughter (Shirley) at an expensive boarding school in London, for he had to go to the Boer War. Being extremely wealthy, he instructs the schoolmistress (Mary Nash) to give Shirley the best of care, regardless of expense. Shirley is nicknamed "The Princess." When word reaches Miss Nash that Hunter had been killed and that no funds were available, she takes away Shirley's clothes and forces her to leave her comfortable room for a garret room, which was cold and dismal, compelling her to work. Refusing to believe that her father was dead, Shirley pays daily visits to the veterans' hospital, looking for him. Arthur Treacher, Miss Nash's brother, who was an orderly at the hospital, helps her in her search. Her only friend was Anita Louise, a former teacher at the school, who had been dismissed when Miss Nash misjudged her friendship with Richard Greene, grandson of wealthy Miles Mander, the next-door neighbor; Miss Nash did not know that the young couple were married. Mander, who had heard from his Hindu servant (Cesar Romero) of Shirley's plight, fills her garret room with beautiful things while she was asleep. Miss Nash, thinking that Shirley had stolen the things, sends for the police. But Shirley escapes and rushes to the hospital. There, after a hectic time, she finds her father, who had lost his memory. The sight of Shirley and the sound of her voice restores his memory; and there is a joyful reunion.

Frances H. Burnett wrote the story, and Ethel Hill and Walter Ferris, the screen play; Walter Lang directed it, and Gene Markey produced it. In the cast are Marcia Mae Jones, Beryl Mercer, E. E. Clive, and others.

Suitability, Class A.

**"Risky Business" with George Murphy
and Dorothea Kent**

(Universal, March 3; time, 67 min.)

A pretty good program melodrama. Produced in 1932 under the title "Okay America," it is now, as it was then, a fairly engrossing story, holding one's interest well. It is more dramatic than the usual columnist-gangster plot, for it does not go in for flippant wisecracks; instead, it centers around the hero's courage in endangering his life in order to protect an innocent girl who had been kidnapped by gangsters. The fact that in the end he meets with death at the hands of the gangsters touches one deeply, since he is so likeable a character. The romance is minimized:—

George Murphy, a newspaper columnist and radio commentator, visits a prominent gangster (Leon Ames), supposedly retired, in an effort to obtain from him information as to the whereabouts of the kidnapped daughter of a prominent motion picture producer. From what Ames says, Murphy realizes that he had the girl. He makes a deal whereby he would turn over to him \$50,000 for the girl's release. Murphy convinces the girl's father of his reliability. The money is delivered as arranged, but the gangsters double-cross Murphy; they do not release the girl. Upon visiting them, he learns that money was not the object; the real purpose was to protect Eduardo Ciannelli, the gangster leader, who was to be tried by the State. Ciannelli tells Murphy that, if he would intercede with the Governor to go easy with him, he would release the girl. The Governor refuses to do so; but Murphy leads Ciannelli to believe that he had so agreed. Ciannelli releases the girl; when Murphy knows that she was safe, he tells Ciannelli the truth, and then is forced to kill him in self defense; he escapes. While broadcasting the facts of the case, Murphy is killed by the gangster's henchmen, who were in the audience.

William A. McGuire wrote the story, and Charles Grayson, the screen play; Arthur Lubin directed it, and Burt Kelly produced it. In the cast are El Brendel, John Wray, Arthur Loft, Frances Robinson, and others.

Not suitable for children. Adult fare. Class B.

**"Mr. Moto in Danger Island" with
Peter Lorre, Jean Hersholt
and Warren Hymer**

(20th Century-Fox, April 7; time, 69 min.)

One of the better pictures in the Moto series. The action is pretty exciting, holding one in suspense throughout. Peter Lorre plays the part of the detective in his usual competent way, thrilling one by his daring and cleverness in outwitting criminals; and he has been given a good supporting cast. Although the plot is far-fetched, it is never dull; the fact that the leader's identity is not revealed until the end keeps the spectator interested. Warren Hymer provides some good comedy. A mildly pleasant romance is worked into the plot:—

Lorre arrives at Porto Rico as special investigator for American diamond dealers, who wanted him to get at the source of the diamond-smuggling racket that was emanating from Porto Rico. No sooner does Lorre arrive than an attempt is made to kill him in a manner similar to that in which his predecessor had been killed. But Lorre, with the help of Hymer, a rather stupid wrestler who had attached himself to him, outwits the gangsters and escapes. Other attempts are made to kill him, but he escapes. Feeling sorry for the police chief (Charles D. Brown), whose health had broken down because of his inability to cope with the smugglers, Lorre assures Brown's daughter (Amanda Duff) that he would help her father. In order to get in with the gang, Lorre sends a false report to the Commissioner, in which he stated that he (Lorre) was a criminal posing as the famous detective. He manages to get to the smugglers' hideout, where he finds Brown and his daughter, who had been kidnapped. But the smugglers learn that he was really the detective, and they arrange to kill him. Again he escapes, but this time with the information he needed. He discloses that the leader was Jean Hersholt, a respected business man of the community. Brown is happy that the case had been solved. And his daughter turns her attentions to Robert Lowery, who loved her.

John W. Vandercook wrote the novel from which the story ideas by John Reinhardt and George Bricker were adapted; Peter Milne wrote the screen play, Herbert I. Leeds directed it, and John Stone produced it. In the cast are Richard Lane, Leon Ames, Douglas Dumbrille, Paul Harvey, and others.

Suitability, Class A.

**"King of Chinatown" with Akim Tamiroff,
Anna May Wong and J. Carrol Naish**

(Paramount, March 17; time, 56 min.)

Just a moderately entertaining program melodrama. The performances are superior to the story values, and are the main reason for one's interest in the picture. Otherwise, it is just another gangster melodrama, lacking the excitement one expects in pictures of this type. It starts out pretty well, but as it develops it loses its fast pace, for it turns to romance. An effort is made to arouse sympathy for the leading character, a gangster, by showing that his love for a woman had regenerated him. But, remembering his actions at the beginning of the picture, one cannot feel much sympathy for him; moreover, the romance is unbelievable:—

Akim Tamiroff, head of a gang of racketeers who were terrorizing the Chinatown district merchants by forcing them to join a protective association, refuses to listen to the schemes of his bookkeeper (J. Carrol Naish) to go into other fields in order to make more money. When he gives orders to Naish to have Anthony Quinn, a racketeer who had double-crossed him, killed, Naish decides to do otherwise. Instead of killing Quinn, he plots with him to kill Tamiroff so that they could take over the business. They shoot Tamiroff, but do not kill him; he is rushed to the hospital, where Anna May Wong, a surgeon, operates on him and saves his life. Knowing how her father had hated Tamiroff, she feared lest he had committed the shooting; she later learns that he was innocent. Tamiroff insists that she personally take care of him. During his illness, Naish and Quinn run the business along gangster lines, causing many deaths. When Tamiroff is ready to go home, he induces Miss Wong to accompany him there. Under her influence, he changes for the better. He asks her to marry him, offering to live a decent life; but she refuses, for she was set on going to China to do relief work. He gives her a check for \$5,000 to continue with her work. When Naish confronts him with a gun one night, Tamiroff becomes excited and suffers a heart attack; he dies.

Herbert Biberman wrote the story, and Lillie Hayward and Irving Reis, the screen play; Nicke Grinde directed it. In the cast are Roscoe Karns, Bernadene Hayes, Sidney Toler, Philip Ahn, and others.

Unsuitable for children. Class B.

**"My Son Is a Criminal" with Alan Baxter,
Jacqueline Wells and Gordon Oliver**

(Columbia, February 22; time, 59 min.)

A fair program gangster melodrama, with human appeal. The action is fast and exciting. The situation towards the end where a father is compelled to kill his own son, a criminal, in order to prevent him from harming others is quite powerful. This scene is played by Willard Robertson, as the father, and Alan Baxter, as the son, with artistry; they touch one's heartstrings. The plot is developed logically; it has a romantic touch, and only slight comic relief:

Robertson, upon retiring from police service, tells his son (Baxter) that he was looking forward to the day when he would join the force. Baxter keeps putting him off with the excuse that, when his garage was on a better paying basis, he might consider becoming a policeman. But Baxter, unknown to his father, was carrying on a life of crime, using the garage as a front. In a clever way, he obtains information about police activities, without any one's suspecting him. Even Jacqueline Wells, his fiancee, was unaware of Baxter's doings. But Gordon Oliver, Baxter's best friend, who was connected with the police department, eventually discovers the truth, and passes the information on to Miss Wells' father, who had taken Robertson's place. He is heartbroken, knowing what it would mean to Robertson. Baxter, who was carrying out his last job before retiring, looks forward to a life of leisure. But the police surround the building where the robbery was taking place; they are followed there by Robertson who, although retired, wanted to take a hand in the capture of the notorious criminal. Being the one who confronts his son, he is compelled to kill him. Oliver, realizing what a noble thing Robertson had done, leads every one but Miss Wells and her father to believe that Baxter had been killed trying to help his father capture the criminal.

Arthur T. Horman wrote the screen play, and C. C. Coleman, Jr., directed it. In the cast are Joseph King, Eddie Laughton, John Tyrrell, and others.

Unsuitable for children. Adult fare. Class B.

**"Love Affair" with Irene Dunne
and Charles Boyer**

(RKO, April 7; time, 88 min.)

Excellent entertainment. It is a romantic drama, directed and acted with great skill. Starting off in a light mood, it is highly amusing in the first half, because of the witty dialogue and of the charming romance. But it gradually becomes serious, turning into an emotion-stirring drama, the kind that is certain to cause tears. There are several memorable situations. One of the most delightful is that in which Miss Dunne and Boyer visit his grandmother (Maria Ouspenskaya); the acting by the three performers is so perfect there that one is touched deeply. The closing scenes are powerful. Miss Dunne sings two numbers:—

While on her way back from Europe, Miss Dunne, a sophisticated New Yorker, who was supported in luxury by her wealthy fiance (Lee Bowman), meets Charles Boyer, an aristocratic French artist, an idler, who was on his way to New York to marry wealthy Astrid Allwyn. After a stopover at Madeira, where Boyer takes Miss Dunne to meet his charming grandmother, who lived in seclusion, they suddenly realize that they loved each other. In order to test their love, they give themselves six months in which to prove that they could both earn an honest living; they arrange to meet at a certain place at a specified time. At the appointed time, Miss Dunne, happy, rushes to meet Boyer; but she meets with an accident, which leaves her crippled. Not wishing to be a burden to Boyer, she refuses to permit Bowman to notify him; instead, she goes on bravely earning a living by teaching music. Boyer, ignorant of her injury, goes back to Europe heart-broken, only to find that his grandmother had died. Upon his return to New York, he sees Miss Dunne at the theatre with Bowman and misunderstands; he still does not know that she was crippled. Unable to resist the temptation of visiting her, he calls on her. While talking to her about his development as a painter, he tells her that he had ordered his agent to give his best painting to a girl who liked it, for she was poor and crippled. Suddenly it dawns on him that perhaps she was the girl and, looking into the next room, he finds the painting. With tears in his eyes, he embraces Miss Dunne, promising to take care of her.

Mildred McCram and Leo McCarey wrote the story, and Delmar Daves and Donald Ogden Stewart, the screen play; Leo McCarey directed and produced it. In the cast are Maurice Moscovitch, and others.

Suitability, Class A.

**"Midnight" with Claudette Colbert
and Don Ameche**

(Paramount, March 24; time, 93 min.)

A sophisticated comedy, with an extremely lavish production, suitable particularly for the class trade. Considering the fact that farcical comedies have of late not been going over so well, its appeal, as to story values, is naturally limited. The popularity of the leading players, who, incidentally, give excellent performances, may, however, make it a good box-office attraction. The story itself is far-fetched, slightly silly in spots, and lacking in human appeal, for not one of the characters does anything to awaken sympathy:—

Claudette Colbert arrives from Monte Carlo in Paris dressed in an evening gown, but without any money; she had lost it all gambling. Don Ameche, a taxicab driver, feeling sorry for her, asks her to get into his cab out of the rain. In an effort to obtain a position for her as an entertainer, he takes her to several cafes, but without success. Eventually she runs away from him. While passing a fashionable house where guests were arriving, she decides to enter, giving a pawnticket instead of an invitation as a means of admittance. The guard at the door is not aware of the deception. She introduces herself as a Countess; but John Barrymore, one of the guests, is wise to her. He helps her along by paying her gambling debts at a bridge game. One of the guests (Francis Lederer), a wealthy young man, who had been having an affair with Barrymore's wife (Mary Astor), is charmed by Miss Colbert. He offers to take her home. In Barrymore's presence she gives the name of a fashionable hotel. When she arrives there, she finds, to her amazement, that rooms had been reserved for her. And the next morning, trunks filled with beautiful clothes arrive. Barrymore visits her and explains that he was her benefactor; in doing this, his purpose was to have her lure Lederer away from his wife. They all go to Barrymore's country estate, where everything works out well, until Miss Astor, who was jealous, becomes suspicious. Just as she was to denounce Miss Colbert, Ameche, who had found out where she had gone, arrives, posing as her titled husband; it so happened that he was a distance relative of the man he was impersonating. He tries to force Miss Colbert to leave with him, but she refuses, leading every one to believe that Ameche was subject to fits of insanity. Eventually she succumbs, giving up her chances to marry wealthy Lederer in order to marry Ameche.

William H. Post wrote the story, and Don Hartman, Frank Butler, and Preston Sturges, the screen play; Elliott Nugent directed it, and Paul Jones produced it. In the cast are Elaine Barrie, Rex O'Malley, and Hedda Hopper.

Somewhat suggestive for children. Adult fare. Class B.

**"The Mystery of Mr. Wong"
with Boris Karloff**

(Monogram, March 8; time, 67 min.)

A fairly good program murder-mystery melodrama, with pretty good production values and capable performances. It is a straight melodrama, with no comic relief. Even though one suspects the murderer's identity, one's interest is held, for he is not identified until the end. The action is fast and at times exciting. Boris Karloff, continuing in the part of the Oriental detective, plays it with conviction. The romantic involvements are of minor importance:—

Karloff, a Chinese detective, guest at the party given by Morgan Wallace and his wife (Dorothy Tree), offers his services to the police when Wallace is murdered mysteriously during the playing of a game. Grant Withers, police inspector, suspects Craig Reynolds, Wallace's secretary, who was in love with Miss Tree and had resented the way Wallace had mistreated her. But Karloff is convinced that Reynolds was innocent. Wallace, who felt that he would be murdered, had left a letter naming the man who he suspected would kill him; this letter is stolen from the safe by a Chinese servant. A valuable jewel Wallace had owned also is missing. Karloff finally solves the case by proving that Holmes Herbert, a famous criminologist and an old friend, had committed the murder. Herbert confesses. Miss Tree, who had considered Herbert a very dear friend, is heartbroken; she is comforted by Reynolds.

Hugh Wiley wrote the story, and Scott Darling, the screen play; William Nigh directed it, and William Lackey produced it. In the cast are Ivan Lebedeff, Hooper Atchley, Lee Tong Foo, and others.

Not for children; adult fare. Class B.

THE SPEECH ALLIED PRESIDENT COLE MADE AT THE MGM SALES CONVENTION

Col. H. A. Cole, president of Allied States Association, was invited by Bill Rodgers, General Manager of Distribution of Metro-Goldwyn-Mayer, to attend the sales convention of their organization, which was held in Chicago on March 21, and was naturally asked to speak.

What Mr. Cole said there was so sensible that HARRISON'S REPORTS has decided to reproduce his entire speech, even though it is compelled to print it in two installments because of lack of space; it feels that, not only the exhibitors, but also the distributors will profit from reading and digesting it:

"In view of what has taken place in the motion picture industry during the past ten years, it is a notable occasion when the President of Allied States Association addresses the sales convention of one of the foremost producing and distributing companies. That this should be regarded as unusual instead of commonplace is the result of an unfortunate misunderstanding regarding the policies and objectives of Allied which in turn is due to lack of contact. I doubt whether I would have been invited here today if it had not been that Bill Rodgers and I have been sitting at the conference table in recent months. Our minds may not have met on all the problems that the conference attempted to deal with, it may be that some of us wish the conference could have dealt with additional and more fundamental problems, but we did get acquainted. The walls of Jericho began to crumble when Bill addressed our national convention in Pittsburgh last May; there was a breach in the walls when Bill came before our Board of Directors in January; I had no difficulty in gaining admittance to the Metro citadel today.

"It is no secret that when Allied was formed ten years ago certain elements among—but not of—the producer-distributors, finding that they could not dominate the new exhibitor organization, sought to insulate the company executives against all contact with the Allied leaders. It suited their selfish purpose that those executives should form their estimates of Allied and Allied leaders, not from first-hand information but from reports, rumors and slanders which they—the politicians—conveyed to them. Consequently, Allied leaders have been belabored with such epithets as 'reds,' 'radicals' and 'soap-box orators' and have been denounced as destructive, untrustworthy and otherwise undeserving of consideration. I had supposed that after ten years of yelling across the ramparts, the supply of names had been exhausted, but the latest to emanate from the concentration camp of the bitter-enders is 'savages.' I would like to live up to this name and entertain you with a war-whoop, but actually I am a very mild-mannered person.

"Now the reaction to this quarantine and to all the abuse, was swift and certain. Allied leaders found that the door to the throne room was closed to them and that there was no redress for grievances. They were men of spirit and each obstacle placed in their path made them all the more determined. Hearing from the industry politicians that they would never be 'recognized,' they set up a little revolution in the streets. Patriotic Americans will recall an historic precedent for this. Since it was apparent that they would have to fight, they entered the fray with a will, and no one will say that they pulled their punches. In the matter of name-calling, they abundantly held up their end. In fact, some of them displayed talents which they did not themselves know they possessed. Thus were ten long years frittered away; ten trying years which called for the free exercise of all the ability and experience that could be mustered in all branches of the industry; ten years during which team work and cooperation would have saved the industry from its present precarious situation.

"The pity of it is that the bitter experiences of the doleful decade have made the task of appeasement so much more difficult. Privileges based on economic power have come to be regarded as matters of right. Suspicion and distrust bred by lack of contact and understanding and fostered by abuse and misrepresentation are not lightly shed. If Rome was not built in a day, neither can it be rebuilt in a day. Devotees of the old order still snap at the heels of those who would bring about a better understanding. It is hard to maintain confidence at a disarmament conference while one party is secretly scuttling the ships of the other party. The

task of reconciliation is much more difficult than it would have been a few years ago and, in the minds of some, the effort is not being pressed with the determination or in the spirit that they had hoped for. But all must agree that the experiment is worth making; that it is a step in the right direction.

"The mere fact that I as the president of Allied am here today is in itself cogent evidence that the foolish barriers that were erected in 1929 are being broken down. Let the authors of the old order, the promoters of hatred and distrust, sulk in their tents; they can not prevent the new era of confidence, mutual respect and cooperation which will come, sooner or later, whether they like it or not.

"One of the serious obstacles to a better understanding is that during the era of bad feeling labels were pinned on certain persons and organizations, and these persist. The politicians were so industrious in pinning the red label on Allied that some company executives have professed to believe that it was rightly bestowed. The lightest utterances of Allied spokesmen often are given an interpretation which conforms to pre-conceived characterizations. Recently in an informal conversation regarding the decision of the Supreme Court in the Interstate Case, I suggested that it might be a good idea to reconsider the entire protection situation in the light of that decision. I even suggested that we might start at the very beginning and consider whether protection *per se* is a good thing. These were gambits intended to promote and lend animation to the discussion. I was shocked to read in the trade press that I had advocated the abolition of all protection. Next I began to receive letters protesting against the proposed campaign by Allied to abolish all protection. Finally (and this illustrates the point), I read in the trade papers that I had repeated my supposed declaration against all protection in my recent speech before a group of women in Boston, although I did not once refer to that subject in the course of my address.

"I want to say to you with all the force I can command that Allied has not been a radical or a destructive element in this business. Calvin Coolidge—no radical—once advised the younger generation that it should not hesitate to be 'as conservative as the multiplication table or as radical as science.' I say to you that Allied has been 'as conservative as the chamber of commerce and as radical as the laws and policies of the United States.' In spite of all the names that have been hurled at our heads, I challenge anyone to cite an instance where we have advocated measures that were not necessary to jar the producer-distributors out of their isolation and indifference in order that admitted abuses might be remedied, or where Allied has not had a constructive program to offer in lieu of the policies and practices attacked.

"History teaches that progress follows in the wake of what has invariably been termed 'agitation.' The roster of the world's greatest leaders is made up of so-called agitators. Conspicuously missing are the names of those who resisted all progress and made no greater contribution than to heap abuse on the heads of those who pleaded for a better order. Of course, the merit which an 'agitator' may obtain depends upon the worth of the cause he espouses. I think that the cause of the independent exhibitors is a worthy one; that when our objectives are achieved, regardless of the means, the industry as a whole will be the beneficiary. It is no small satisfaction and comfort to us that our cause has been championed by the Government which we all love and which we all agree is the noblest that ever has been devised.

"But I was not invited, nor did I come, to talk generalities. Let me, therefore, discuss a few of the practical problems in which you as sellers of motion pictures and I as a buyer are interested. In our respective relationships we are immediately confronted by a clash of interest. You want to sell for as much and I want to buy for as little as possible. This is inescapable and, if held within due bounds, is healthful. It is the life of trade. But for this civilized form of warfare to be waged with the best results, it is necessary that both parties be free agents. The law recognizes that when one party to a supposed contract has been induced to sign by fraud, coercion or duress, there is no contract. The abused party can not be held. But if he *must* have the products that are the subjects of the contract, if he can not get them elsewhere under better terms, then the coercion and duress may be very real and yet he can not repudiate the contract because to do so he would have to forego the products which he must have.

(To be concluded next week)

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WILL YOU AID THE GOVERNMENT WITH THE INFORMATION IT NEEDS FOR THE SUIT?

I happened to be reading the other day a transcript of the testimony at the trial of the case brought by Paramount against the State of North Dakota to nullify the Theatre Divorce Law, and I was so struck by the testimony of Mr. Austin Keough, Paramount attorney, who was one of the witnesses, that I decided to reproduce part of it. I believe that it should be of interest to every independent theatre owner, for it indicates how some major executives feel about exhibitors who make an attempt to protect what they feel are their rights (a few preliminary questions and answers are omitted):

"A. [Keough] . . . Between that date [December 27, 1923] and September, 1929, Paramount had no interest in the Saenger Amusement Company or any other Saenger Company. Sometime between 1923 and 1929, September 1929, the Saenger Company acquired a 50 per cent interest in the stock of the Jefferson Amusement Company. I don't believe that the Saenger Company had that 50 per cent interest in the Jefferson Amusement Company at the time between 1919 or 1920, and 1923, when Paramount had its first interest (40%) in the Saenger Company.

"Q. [Thacher, representing Paramount, the plaintiff.] You had personal knowledge of these transactions when they occurred?

"A. I did.

"Q. As counsel for the company?

"A. As counsel for the company, and in handling, in the first place, the disposition of the 40 per cent interest back to the Saenger Company, or its other stockholders, and later in the acquisition by Paramount of the stock of the Saenger Amusement Company in 1929.

"Q. There has been some testimony in regard to a situation in Victoria. Did you have any knowledge of the first acquisition that Colonel Cole testified to?

"A. I did.

"Q. Will you state what that situation was?

"A. In the year 1931, that is the best recollection I have of the precise time, the Jefferson Amusement Company in which then Paramount had a 50 per cent interest through the Paramount ownership of practically all of the stock of the Saenger Amusement Company, without the knowledge or consent of anyone representing Paramount or the Saenger Theatres, went into Victoria and acquired a theatre and started to operate it. Paramount learned of that promptly after it had occurred. Paramount's general sales manager, Mr. George Schaefer, immediately conferred with me as counsel for Paramount, about the right of the Jefferson Amusement Company to go into such a town, or go into any town without the approval of the Board of Directors of the company, the Jefferson Amusement Company, and, further, as to the right of Paramount to distribute its pictures to such theatre in Victoria as it wished to do, and as a result of that conference with me, Mr. Schaefer, in collaboration with me, addressed a letter to Messrs. Gordon & Clemens, declaring our displeasure of going into the town and announcing we were going to continue to serve Mr. Frels with Paramount pictures in Victoria.

"Q. Were Gordon & Clemens managing the Jefferson Company?

"A. They were to have out four directors and one was the president and the other the chairman of the board of directors and they were the stockholders of the other 50 per cent interest. [EDITOR'S NOTE: Answer not clear.]

"Q. And you continued to furnish Paramount Pictures to Mr. Frels until when?

"A. For two full seasons after that. I think the last time was beginning with the season of 1933-34, when we didn't sell Paramount Pictures to Frels out in Victoria.

"Q. Have you any personal knowledge as to the reason why you didn't?

"A. Again by conference with Mr. George Schaefer, the suit of Legg against various companies, including Paramount, had been started, and we were informed that Mr. Frels had participated in the planning of the suit and in its financing, and we felt that that was a very ungrateful thing for him to do to Paramount, and we decided not to sell him the pictures.

"Q. After that experience did you and Mr. Schaefer regard him as a desirable customer?

"A. We regarded him as an ungrateful customer.

"Q. I said, did you regard him as a desirable customer?

"A. In the sense that we thought him ungrateful we felt that he was not a desirable customer to do business with."

Judge Devaney, attorney for the Minnesota exhibitor organization, representing the State of North Dakota, cross-examined Mr. Keough. After asking several questions, he led him up to the following:

"Q. [Judge Devaney] Because Mr. Frels had had the temerity to contribute to that suit, that was such an incident of ingratitude that compelled you to discontinue doing business with him at Victoria, is that true or false?

"A. [Austin Keough] Contribute to the suit, under the circumstances, when he should have known that the charges against Paramount, with whom he was doing business, were false.

"Q. You wanted him to pre-judge that?

"A. I wanted him to be a little careful about what he rushed into court with.

"Q. It is purely a question of these men with whom you do business being careful with Paramount.

"A. Oh, no, not to be careful with Paramount, but to be careful of reckless statements or untrue statements that are made concerning Paramount.

"Q. And to be careful not to incur the displeasure of Paramount?

"A. If displeasure of Paramount is incurred because of false and reckless statements, yes!

"Q. You concluded that Mr. Frels had made some statements that were either reckless or false, and you shut off this source of supply that he had enjoyed at Victoria, Texas, for many years?

"A. Quite right.

"Q. You heard the statement made in the court room here that many exhibitors had contributed to this litigation, did you?

"A. Yes.

"MR. DEVANEY: That is all.

"MR. THACHER: That is all."

Though the object of Mr. Keough's testimony was to prove to the Court that the film service was shut off from Mr. Frels, not because Paramount is a monopoly, but because Mr. Frels proved ungrateful, what was really disclosed was the fact that a moving picture wholesaler, who at the same time is a retailer, competing with his customer, has it in his power to put that customer out of business, by merely shutting off his film service.

(Continued on last page)

"Sudden Money" with Charlie Ruggles and Marjorie Rambeau

(Paramount, March 31; time, 60 min.)

Just a mildly entertaining program comedy. The story is so thin that after the first half it peters out, turning into a silly comedy. The idea is all right—that of several members of a family trying to follow their particular talents after they win a sweepstakes prize; but the means they choose to express themselves are bad—they are silly. For instance, the mother (Marjorie Rambeau) takes to painting, at which she is quite terrible. She lets herself be influenced by two crooks, who eventually steal her share of the winnings. The father (Charlie Ruggles) finds his old college friends and forms a band. They are so bad that they cannot obtain engagements, and so he is compelled to pay their salaries. When they finally do get an engagement, a gangster, mistaking Ruggles' interest in the young lady who sang with his band, beats him up and puts an end to the job. Then Ruggles puts up bail of \$2,500 for John Gallaudet, one of his players, who was wanted by the police; Gallaudet then runs away. Ruggles' money is all gone. His brother-in-law (Broderick Crawford), who thought he had a good system on horse-betting, soon loses his share. And Ruggles' young daughter, who had gone to an expensive finishing school, spends all her money. In a way they are all happy when the money is gone, for their lives had been disrupted by sudden wealth. They go back to their ordinary tasks and do not complain.

Milton Lazarus wrote the story, and Lewis Foster, the screen play; Nick Grinde directed it, and Wm. C. Thomas produced it. In the cast are Charley Grapewin, Billy Lee, Evelyn Keyes, Philip Warren, Joyce Mathews, and Richard Tucker.

Suitability, Class A.

"Hound of the Baskervilles" with Richard Greene, Basil Rathbone and Wendy Barrie

(20th Century-Fox, March 31; time, 79 min.)

A pretty good Sherlock Holmes melodrama. Produced twice before, once in 1922 and again in 1932, it still offers entertainment for followers of murder mysteries. The production values are, of course, superior to those of the other two pictures. The background (that of the lonely British moors), creates an eerie atmosphere, so that each time a character wanders out of the house for a walk, one is held in suspense, not knowing what to expect. Although one suspects the murderer's identity, this does not lessen one's interest, for along with him there are several other suspicious characters. It is in the ending, however, that the action causes tense excitement. The scenes that show the vicious dog running across the moors in an attempt to overtake and attack the hero, are thrilling as well as frightening. The romance is pleasant.

In the development of the plot, Richard Greene, who had lived in Canada, arrives in London to claim the title and estate left by his uncle, who had presumably died from heart failure. Lionel Atwill, the doctor who had attended the deceased, believing that he had been murdered, and fearing for Greene's safety, calls on Basil Rathbone (Sherlock Holmes) for his advice. Rathbone sends his assistant (Nigel Bruce) with Atwill and Greene, to act as protector, promising to follow within a few days. Instead, he goes there disguised as an old peddler, so as to carry on his investigation unhampered. Greene meets and falls in love with Wendy Barrie, a neighbor; they plan to marry. Every one in the neighborhood is mystified by the noise of a howling dog; being superstitious, they trace it to an old legend regarding Greene's ancestors, many of whom had met with violent deaths. While on his way home from Miss Barrie's, across the moors, Greene is set upon by a vicious dog. The timely arrival of Rathbone and Bruce saves his life; they kill the dog. Rathbone then proves that Miss Barrie's stepbrother, a unknown member of Greene's family, had committed the murder and had attempted to murder Greene in an effort to prove his claim to the estate; he admits it and, despite an effort to escape, he is arrested. With the threat of death lifted, Greene looks forward to a happy life with Miss Barrie.

The plot was adapted from the story by Sir Arthur Conan Doyle. Ernest Pascal wrote the screen play, Sidney Lanfield directed it, and Gene Markey produced it. In the cast are John Carradine, Barlowe Borland, Beryl Mercer, Ralph Forbes, and others.

It may frighten children. Best for adults. Class B.

"Sergeant Madden" with Wallace Beery, Tom Brown, Alan Curtis and Laraine Day

(MGM, March 24; time, 80 min.)

A good program melodrama, with human appeal. The story is strengthened considerably by the expert performances of the entire cast; particularly good is Laraine Day, a newcomer, who shows marked talent. Although the plot is concerned primarily with the bravery of policemen in their contact with criminals and with their loyalty to their duties, it has another angle—that of a father-son conflict. It is from the latter that the picture derives its power. The closing scenes, in which the father, a policeman, tries to capture his own son, who had turned criminal, are touching; but they may prove too harrowing for women:—

Wallace Beery, a Sergeant on the New York police force, looks forward to the day when his son (Alan Curtis) and his adopted son (Tom Brown) would be policemen. Curtis, being older, graduates first and joins the force. He marries Laraine Day, a young Irish girl, who, after her mother's death, had left Ireland to live with Beery and his family, old friends. Curtis is headstrong and ambitious; he is eager to make a place for himself on the force. In line with his duty, he shoots and kills a young hoodlum who had stolen a cheap piece of fur from a shop; but this brings him down in the estimation of his superior, who did not believe in killing young boys. Beery tries to argue with Curtis, but to no avail; as a matter of fact, Curtis is so annoyed that he insists that his wife leave with him, for an apartment of their own. Since she was going to have a baby, she felt her place was with her husband. Mare Lawrence, a gangster, plans to get even with Curtis, for the boy who had been killed was his girl-friend's brother. He frames Curtis on a serious charge; Curtis is tried and sentenced to prison. While on the way there he escapes, with the guard's gun. In the meantime, Beery, who knew his son had been framed, pleads with Lawrence to clear him; he promises to do so. Curtis goes wild—he does not hesitate to steal and to kill people; and the police are unable to trap him. Beery, knowing that Curtis would want to see his new-born son, has an item broadcast about the birth of his grandson. Curtis appears at the hospital and is trapped; heartbroken at the mess he had gotten himself into, Curtis purposely shoots his gun into the air. The police open fire and kill him. Miss Day is comforted by Brown, who loved her.

Wm. A. Ullman, Jr., wrote the story, and Wells Root, the screen play; Josef Von Sternberg directed it, and J. Walter Ruben produced it. In the cast are Fay Holden, Marion Martin, Ben Welden, and others.

Unsuitable for children. Class B.

"My Wife's Relatives" with James Gleason and Lucile Gleason

(Republic, March 20; time, 64 min.)

A fair follow-up to the first "Higgins Family" picture. It has action, fair comedy, and some human appeal. But the actions of the characters are at times so silly that they tire one. Harry Davenport, as the outspoken grandfather who resists the advances of a woman seeking to marry him, is the most likeable character:—

When his employer (Purnell Pratt) orders him to put a stop to the romance between his daughter and Pratt's son, James Gleason becomes angry and resigns; he decides to go into the candy business for himself. But things do not run very smoothly; he is beset by creditors, particularly by a man from whom he had bought a diamond ring on the installment plan. He promises to return the ring; but when he asks his wife for it she confesses that she had lost it at the factory. Gleason's son (Russell Gleason) is certain that it had been wrapped in with a bar of chocolate. He inserts an advertisement in the newspapers offering a reward for the return of the ring; but he lists the reward as \$5,000 instead of \$50. This naturally brings about a rush of business; but the District Attorney visits Gleason and demands that he deposit the amount of the reward, which Gleason cannot do. Davenport, in an effort to save Gleason, offers to marry wealthy Maude Eburne. But he is saved from doing this, for the ring is found at home, and Pratt's son arranges matters so as to make it appear to the authorities as if he had found it. He and Gleason decide to continue in the business as partners. Gleason gives his consent to the marriage.

Dorrell and Stuart MacGowan wrote the original screen play; Gus Meins directed it, and Sol Siegel produced it. In the cast are Mary Hart, Tommy Ryan, Marjorie Gateson, and others.

Suitability, Class A.

"Three Smart Girls Grow Up" with Deanna Durbin, Charles Grapewin, Nan Grey and Helen Parrish

(Universal, March 24; time, 87 min.)

Excellent! It is a credit to the ability of Joe Pasternak, the producer, and of Henry Koster, the director. The story is charming, combining comedy with human appeal; the performances are unusually good, and the music, as sung by Deanna Durbin, is, of course, of the highest order. In addition, the production is most lavish. But what is most important is the fact that Miss Durbin is still her own delightful self—young, exuberant, and simple, despite the advertisements stressing her glamour. Her actions are at times the cause for hearty laughter, because of the naive way in which she goes about trying to adjust the lives of her sisters; but they are at no time objectionable. Although Miss Durbin is the outstanding player, she has been given excellent support by a well-chosen cast:—

When her sister (Nan Grey) becomes engaged to William Lundigan, Deanna is heartbroken, for she realized that her other sister (Helen Parrish) loved him. Since her mother (Nella Walker) would not listen to her, and her father (Charles Winninger) was too busy with his brokerage business to bother with home affairs, Deanna decides to take matters into her hands. Following the suggestion of the family butler (Ernest Cossart), she sets about looking for a good looking young man who could attract Miss Parrish. She finds him in the person of Robert Cummings, a young musician, who practiced in a studio adjacent to the one where she took her singing lessons. She invites him to dinner; but to Deanna's anger, he "falls" for Miss Grey instead of for Miss Parrish. In the presence of every one, she berates him and orders him out; naturally they all think she was in love with Cummings and had acted that way because of jealousy. She makes matters worse by trying to interfere further. On the day before the wedding, which she knew was bringing sorrow to all, for Miss Grey really loved Cummings, she goes, in despair, to her father's office, where she bursts into tears. He finally listens to her. By sending Miss Grey off with Cummings on the wedding day and by taking Miss Parrish to the altar, he adjusts everything. Thus once again every one is happy.

Bruce Manning and Felix Jackson wrote the original screen play.
Class A.

"Within the Law" with Ruth Hussey, Tom Neal and Paul Kelly

(MGM, March 17; time, 64 min.)

A fair program melodrama. Produced three times before, first, in 1917, then in 1923, and the last time in 1935 under the title "Paid," with Joan Crawford as the star, its appeal will be directed mostly to those who did not see the last version. For those who saw it, this one will naturally lack novelty, since very few changes have been made in the plot; furthermore, it suffers by comparison with "Paid," in that the performances are not so good. It has, however, some human appeal because of the sympathy one feels for the heroine, who, although innocent, is sent to prison. And the romance is appealing:—

Ruth Hussey, released from prison after having served a three year term for a crime she had not committed, is embittered. Determined to avenge herself upon Samuel Hinds, the owner of the store where she worked, and who had prosecuted her, she joins forces with Rita Johnson, her former cellmate, who was connected with a gang of crooks, headed by Paul Kelly. Miss Hussey, who had studied law during her imprisonment, and who knew how to commit crimes and yet keep within the law, becomes the leader of the gang; they prosper. She becomes acquainted with Hinds' son (Tom Neal) and, after a short friendship, she marries him, in that way balancing the score with Hinds; but she leaves Neal. When their funds are tied up by an injunction obtained by Hinds, Kelly, without consulting Miss Hussey, agrees to work with Paul Cavanagh, a member of the gang, on a robbery job; Kelly is unaware that Cavanagh had turned stool pigeon and that he had been working with the police so as to trap Kelly and Miss Hussey. When Miss Hussey learns what had happened, she rushes after the two men, who had gone to Hinds' home to steal a supposedly valuable picture. Neal finds them there; he tells Kelly that the picture was worthless. Kelly then understands everything; he kills Cavanagh and escapes. When the police arrive, Miss Hussey claims that Neal had committed the murder in self defense; but eventually Kelly confesses, clearing Neal. Sorry for everything she had done, Miss Hussey apologizes to Neal; they are reconciled with Hinds' approval.

The plot was adapted from the play by Bayard Veiller; Charles Lederer and Edith Fitzgerald wrote the screen play, and Gustav Machaty directed it. In the cast are William Gargan, Lynne Carver, Sidney Blackmer, and others.

Not for children. Class B.

"Mystery of the White Room" with Bruce Cabot and Helen Mack

(Universal, March 17; time, 58 min.)

A fair program murder mystery melodrama. Followers of mystery melodramas should find it to their liking, since it keeps the murderer's identity concealed; several persons are suspected, but it is not until the end that the guilty person is exposed. In-between the sleuthing, there is romance and comedy; but the latter is of the silly kind that proves somewhat annoying:—

Bruce Cabot, a doctor at a hospital, becomes interested in helping Thomas Jackson, police sergeant, solve the murder of Addison Richards, who had been the chief doctor of the hospital. Cabot's fiancée (Helen Mack), a nurse, offers her help. Suspicion falls on Roland Drew and even on Cabot himself, for they had been rivals for an important post at the hospital; also on Frank Reicher, a doctor, whose right arm had been rendered useless by an operation performed by Richards. Joan Woodbury, who had been Richards' private secretary, is another who is suspected. When Frank Puglia, the janitor, sees some one in the hospital pharmacy, he greets the person, who throws acid in his face; as a result he loses his speech and goes blind. Cabot conceives of using Puglia as the lure to trap the murderer. The scheme works, and Puglia, who had regained his sight through an operation, points to Miss Woodbury as the murderess. She confesses that she had committed the murder because of jealousy.

James G. Edwards wrote the story, and Alex Gottlieb, the screen play; Otis Garrett directed it, and Irving Starr produced it. In the cast are Constance Worth, Mabel Todd, Tom Dugan, and others.

Unsuitable for children. Class B.

"Almost a Gentleman" with James Ellison and Helen Wood

(RKO, March 31; time, 64 min.)

A fair program drama, suitable mostly for those who enjoy pictures about dogs. The dog in this case shows amazing intelligence, and plays an important part, for it is through this animal that the hero is finally regenerated. The hero, because of his actions, which are motivated by a desire for revenge, fails to win one's sympathy; as a matter of fact his surliness tends to depress the spectator. There is some excitement in the closing scenes, where the dog leads police to the hideout of kidnappers. The romance is pleasant:—

Returning to his home town after a few years' absence, James Ellison enters his house through a window. Helen Wood, who had leased the house from an agent and did not know Ellison, believes him to be a burglar. She calls for the Sheriff, and has Ellison arrested. The matter is, of course, cleared up the following morning, and Miss Wood apologizes. Ellison, who had taken a fancy to a dog that was locked up in the pound, is particularly eager to have the animal when he learns that his former brother-in-law (Robert Kent) had sent it there to be killed; he pays the fine and gets the dog. Miss Wood suggests that Ellison and the dog live in the barn until her lease expired. She learns that Ellison had been married to Kent's sister (June Clayworth), but that the family, feeling that Ellison did not belong in their social set, had broken up the marriage; Miss Clayworth had since remarried. Ellison was bitter, his one desire being to show Kent up. When the town drunkard is found murdered, suspicion falls on Ellison's dog, and it is taken away from him. Ellison demands a trial for the dog, at which time he proves, through witnesses, that the drunkard had been killed by a leopard which had escaped from a carnival, but which had later been recaptured. In the meantime, Miss Clayworth is kidnapped. Ellison's dog leads the police to the gangsters' hideout, thus becoming the cause of Miss Clayworth's rescue. Kent and Ellison shake hands, forgetting all past differences. Ellison is happy, for he had fallen in love with Miss Wood, who returned his love.

David Silverstein and Jo Pagano wrote the screen play; Leslie Goodwins directed it, and Cliff Reid produced it. In the cast are Robert Warwick, Leonard Penn, John Wray, and others.

Suitability, Class A.

It is to make it impossible for a wholesaler to hold the business-life of his own customers in the hollow of his hand by competing with them that every one of you must fight to bring about a divorcement of theatres from production-distribution.

By the suit now pending in the District Court for the Southern District of New York, the United States Government has undertaken to bring about such a divorcement. But in order for it to do so, it must have the necessary proof. The defendants have demanded of the Government a Bill of Particulars, and the Court has granted part of their demands. The Department of Justice is naturally preparing this Bill. But in order that the Government's case may be strengthened, the Department of Justice must have plentiful information as to the abuses the producers have practiced on you over a period of years, and as to the effect upon the independent theatre owners the operation of theatres by the major companies has had. Such information can be furnished only by you, the independent theatre owners.

There has never been a time when you had a better chance to shatter the chains that have bound you for so many years. The United States Government has undertaken, without any cost to you, to free you from this slavery. Will you take advantage of the Government's proffer? Will you furnish it with the necessary information? If you do not, it will be said that you are worthy of no more than your present fate.

If you wish to cooperate with the U. S. Government in this suit, write to Hon. Thurman Arnold, Assistant Attorney-General, Department of Justice, Washington, D. C., giving him whatever information you have, not only concerning yourself, but also other exhibitors.

THE SPEECH ALLIED PRESIDENT COLE MADE AT THE MGM SALES CONVENTION

(Concluded from last week)

(The first part of the speech was published in last week's issue.—THE EDITOR.)

"A seller dealing with a buyer in that helpless situation owes a duty to the industry, to society and to the law not to press him so hard as to deprive him of a means of livelihood. The motion picture business is not a public utility, its prices and terms are not regulated by law; but the arbitrary exercise of monopolistic power is what has caused other industries to be classified as public utilities. Therefore, a sense of responsibility to the public in general, as well as an enlightened self-interest, should admonish a distributor not to drive too hard a bargain simply because an exhibitor must have his pictures. Now more than ever before it is to the interest of the distributors to keep the exhibitors in business; not to force them out. And if you say that there is no substance to this admonition, I will respond by asking you for just a moment to put yourself in the exhibitors' shoes. Knowing that the week-end business equals 80% of your total for the week, how would you like to have to play designated high percentage pictures on every week-end against the competition of radio programs featuring movie stars, some of whom may be featured in the pictures you must play?

"Not only must the distributors exercise some restraint in the matter of draining off theatre earnings, unless they want to kill the goose that lays the shiny eggs, but they must preserve the right of the exhibitor to bargain in respect of terms and conditions that greatly affect his earning power. The buyer—and here I speak for the subsequent-run exhibitor—must be free to make his contract with the seller unhindered by terms and conditions imposed by third persons who are not parties to the transaction. The crudest concepts of individual freedom imply this. And now the highest court in the land has laid down that very principle for the guidance of this industry. Like it or not, it is the law. For my part, I should think you would like it. Countless exhibitors have told me that they got along all right with the film salesmen and exchange managers; that the latter were anxious to grant them better terms than they were receiving; that their hands were tied and their policy was dictated by the large buyers who insisted on writing *their* terms into the contracts between the distributors and the subsequent runs.

"Let us apply this principle to the very important matter of protection—'clearance' to you. I need not remind you how much importance exhibitors attach to protection. The right to impose protection resides with the distributors by virtue of their ownership of copyrights. To the extent that the imposition of protection enables the distributor to reap

a maximum return on its product, it is justified. But the distributors allowed this valuable privilege to slip out of their grasp. By the time the Supreme Court got around to setting matters right, control of protection had been usurped by the circuits, which, as the court pointed out, owned no copyrights. In virtually every territory the dominant circuit decides for itself what protection it wants and its terms are written into the contracts of the independent subsequent runs, however distasteful, however ruinous, it may be. I do not believe there is a man within range of my voice who thinks that a sound condition.

"Protection imposed under those conditions has no relation to the protection of the copyrights owned by the distributors. It ignores the rights which the distributor has in its copyrighted properties. The only purpose of such protection is to regulate competition between exhibitors in the interest of the circuits and to give the circuits a monopoly in their respective territories. The distributors now have it in their power to re-assert their own rights, to regain the control over their own products which they had lost, and to regulate clearance solely in their own interest *as distributors*. If they grasp this opportunity great progress will have been made. If instead of taking matters into their own hands, they allow their theatre departments and large customers to devise means for perpetuating the old order, not only are they headed for serious trouble, but they will be guilty of fumbling the greatest opportunity to put the industry on a sound basis that they have ever had.

"I am sure that every man in this room realizes that the undue extension of protection not only cripples the theatres burdened by it, drying them up as sources of film revenue, but also tends strongly to alienate the good will and sacrifice the patronage of millions of theatre goers. The greatest fallacy foisted on the industry by the theatre departments and the chains is that if a picture can be withheld from the subsequent run theatre long enough, the patrons of that theatre will flock to another theatre, inconveniently located and charging a higher admission price, in order to see that picture. This ignores the plain fact that many people are dependent on a particular theatre because they are too old or too young to go down town or to another town, or because they can not afford to attend the higher price theatres, or have not cars or do not care to drive to the other theatre and find parking space. These people are not forced into the prior runs because the theatre they are accustomed to attend—or can attend—can not show a picture when they would like to see it. They merely lose interest in the picture.

"I am not unmindful that some prior runs might be seriously impaired or destroyed if the low price subsequent runs got the picture too soon. Naturally, it is the concern of the distributors that those runs be preserved, just as it should be their concern that the subsequent runs be preserved. But let the distributors decide protection schedules for themselves, as the result of negotiations with all affected thereby, and in the interest of all concerned. When the present outrageous schedules imposed by the circuits in some territories are moderated, I am confident that theatre attendance will increase and that the distributors will not suffer, but on the contrary will prosper, as a result thereof.

"And in closing, I point out to you the desirability from every point of view of retaining the independent exhibitors in this industry. The industry needs these men and their ideas, energies and good will in selling motion pictures to the public. A monopolized industry is never a healthy one, and it knows no peace. The motion picture industry has weathered the depression, but now it has come upon evil days. It must not only repent and mend its ways, but it must also do a certain amount of penance. Readjustments must be made, new policies must be adopted, new trade practices must be put into effect and all these must be enduring, not transitory. If the lesson has been learned, if there is a sincere desire to accommodate the industry to the new order, all will be well. If there is a grudging acceptance of the situation, if the dogs of reaction continue to snap at the heels of progress, then the industry and all connected with it are in for a long siege of uncertainty and demoralization.

"If such dire consequences ensue, it will not be until after a record has been made, a record which all may read and understand. Every person in this business, whether he be a producer, a distributor, or an exhibitor, or whether he be affiliated or independent, is helping to write that record. This carries with it a terrible responsibility to meet the issues of the day fairly and fully. I am both an optimist and a patient man. I know that it is only natural to strain and gag at a bitter pill. But since the doctor has ordered it, sooner or later it must be swallowed, and I am convinced it will do the industry a lot of good. I, for one, am not selling the motion picture business short."

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A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING**Vol. XXI****SATURDAY, APRIL 8, 1939****No. 14****COMPLETION OF TRADE PRACTICE
DRAFT TIMED BADLY**

After dragging the negotiations for several months, the producers at last decided to place into the hands of the exhibitor representatives the final draft of the Trade Practice Code. They delivered it Thursday evening, last week.

Few exhibitors who know what is going on will blame the Distributor Committee, headed by Mr. Kent, with W. F. Rodgers acting as Chairman and carrying on the work; but the suddenness with which the draft was completed will lead many exhibitors to believe that its completion was hastened so that it might appear in the trade papers before Monday (April 3), the day on which the hearings on the Neely Bill were held. By placing these proposed reforms in the record, they evidently hoped to convince the Subcommittee of the Senate Committee on Interstate Commerce that the passage of this Bill is now unnecessary.

How the Allied leaders feel about seeing the final draft in print before they had a chance to go over it so as to express their views on it, as has been the procedure heretofore, HARRISON'S REPORTS does not yet know, for no statement has so far been given out from Allied headquarters. A statement will no doubt be issued soon.

The revised draft is far clearer than any of the previous drafts—it is more specific, enabling the reader to know what reforms the distributors have decided to grant to the exhibitors.

Under the heading, "Exclusion Privilege," the exhibitor is granted the right to cancel, in addition to the 10%, 15%, or 20%, as the case may be, in accordance with the price he pays for film, also pictures that are declared "locally offensive on moral, religious or racial grounds," the arbitration board settling the dispute in case there should be a disagreement between exhibitor and distributor whether a feature may or may not be excluded on the aforementioned grounds.

The provision under "Trade Announcement" might have just as well been left out, as Mr. Abram F. Myers once suggested; it does not mean anything.

Some provision has been made to give an exhibitor the right to contract big pictures belonging to distributors with whom he has no contract, whenever there is public demand for them. Whether or not this provision will prove satisfactory to the independent exhibitors represented by Allied this paper does not yet know; but the concession granted does not seem to be enough to act as an inducement for the Allied Association to give up its fight for the complete elimination of block-booking and blind-selling.

Under "Preferred Playing Time," the distributor agrees not to demand preferred playing time either on flat-rental pictures, or on percentage pictures that are contracted for with a guarantee of a minimum amount; but it does leave the matter of plain percentage pictures as it was before.

How does Allied feel about this concession?

In looking over the speech that was made by Col. H. A. Cole, president of Allied, at the convention of the MGM sales forces in Chicago on March 21, I find the following remark:

"Knowing that the week-end business equals 80% of your total for the week, how would you like to have to play designated high percentage pictures on every week-end against the competition of radio programs featuring movie stars, some of whom may be featured in the pictures you must play?"

This remark leads us to believe that the Allied organization is not getting from the distributors what it fought for. And I doubt whether there are many exhibitors who would disagree with Col. Cole.

Under the same heading, that is, "Preferred Playing Time," the exhibitor is given the right to refuse to play pictures that he considers unsuitable for the people of his community on those days. The conditions under which he may refuse such pictures are set forth in the provision.

Under the heading, "Some Run Available," any exhibitor shall be able to obtain pictures, provided he fulfills the qualifications prescribed in the provision. The prices demanded for pictures shall not be subject to arbitration, but each distributor is not to ask for his pictures prices, or impose conditions, that may be considered "unreasonable."

Notice that an arbitration board is barred from saying whether the prices asked from an exhibitor are unreasonable, if such they should be, asked of him for no other purpose than to defeat the intent of this provision.

Under the heading "Regular Customer," the provision attempts to take care of frequent independent exhibitor complaints that the distributors always favor the affiliated circuits. Certain regulations are prescribed, with the right of the exhibitor to resort to arbitration in case there should be any violation of this provision.

Under the heading, "Short Subjects, Newsreels, etc.," all called "Shorts" for convenience, an exhibitor is freed of the obligation to buy a distributor's shorts in order to obtain his features. (This term includes westerns as well as "foreigns.") In case any distributor violates this provision, the exhibitor may resort to arbitration.

Under the heading, "Score Charges," the distributors promise not to make separate charges for pictures of the 1939-40 season, on either flat rental or on percentage pictures.

The following other matters are treated under their respective headings:

The distributor shall, at the time he sends a notice of availability, notify the exhibitor of the price allocation of the picture.

On selective contracts, the exhibitor must make his selection within twenty-one days after a notice of availability is sent to him.

An exhibitor shall not be required to play a picture in the order of its release if the distributor should hold it back.

A distributor shall not coerce an exhibitor into signing a contract by employing the familiar threat about building a competitive theatre. Such methods are subject to arbitration.

Breaches of contract shall be arbitrated. So shall be clearance as well as over-buying.

License fees, and other terms and conditions (except those specifically provided for in the Code), shall not be subject to arbitration.

This Code shall be effective on contracts entered into after January 1, 1939, but only for the 1939-40 season, and thereafter as long as the Code remains in effect. But the proposed agreement covers only two seasons, beginning with the 1939-40 season; a signatory, whether exhibitor or distributor, is given the right to withdraw at the end of the second season by giving a written notice of withdrawal at least six months prior to the end of the season. (August 31 is to be considered the end of a season; September 1, the beginning.)

In regard to arbitration, Mr. W. F. Rodgers, speaking for the Committee, said in his letter to Col. Cole, president of Allied, as follows about it:

"Your counsel's revision contained counter suggestions as to arbitration, which we discussed with our counsel. However, we have not yet completed a revision of the pro-

(Continued on last page)

"I'm From Missouri" with Bob Burns and Gladys George

(Paramount, April 7; time, 78½ min.)

Good for the Bob Burns fans, but only fair for general audiences. Most of the laughs are provoked by Burns' homespun philosophy; in addition, he awakens sympathy by his actions. But the story itself is routine; it depends on a few gags for novelty, but only some are amusing. The closing scenes are extremely comical because of the mixups and of the manner in which Burns puts over an important deal. A romance is worked into the plot, but it is of minor importance:—

Burns, a banker and former breeder of Missouri mules, realizes that, with the falling market, his mule-breeding neighbors would be ruined. E. E. Clive, an Englishman who, with his wife, had been forced down in their plane and had accepted Burns' hospitality, suggests that Burns fly his prize mule to Kansas for the stock show in order to interest British Army buyers. But things turn out against him and the only thing left for him to do is to go to England to see the Army buyers himself. His wife (Gladys George) and her sister (Judith Barrett) accompany him. Once in London, Burns realizes he was up against tough competition in the person of Gene Lockhart, who was trying to induce the Army officials to buy cavalry tanks instead of mules. In the meantime, Miss George becomes society conscious and rents a large house in order to give swank parties. Her first big party is a miserable failure until Clive and his wife, who, it developed, were a Duke and Duchess respectively, and their friends, arrive on a surprise visit. Neither Burns nor Miss George had known of their titles. In the meantime, Burns' Missouri neighbors had shipped him 2,000 mules, feeling sure he would put over the deal; he is frantic, for he could get no definite word from the officials. A buyer (Wm. Collier, Sr.) suddenly presents himself; when the Army officials hear of this, they rush down to the pier and insist that Burns sell the mules to them; he gladly does so. He almost faints when he learns that Collier had intended to buy only one mule. Miss George is cured of her social aspirations and is happy to go back home with Burns. So is her sister, who realized that her home-town sweetheart (William Henry) was a worthwhile person.

Homer Croy and Julian Street wrote the story, and John C. Moffitt and Duke Atteberry, the screen play; Theodore Reed directed it, and Paul Jones produced it. In the cast are Patricia Morison, Melville Cooper, Doris Lloyd, and others.

Suitability, Class A.

"Winner Take All" with Tony Martin, Gloria Stuart and Henry Armetta

(20th Century-Fox, April 21; time, 62 min.)

A fair program entertainment. It mixes comedy with romance and prize-fighting and manages to be fairly entertaining in each respect. Henry Armetta gives an outstanding performance; as the harrassed lodge treasurer, who tries gambling in an effort to build up the lodge's funds, he wins one's sympathy, at the same time provoking hearty laughter. Tony Martin's part is a routine one, which he handles only fairly well; he does no singing. Although the story is far-fetched, it moves at a fast pace. The closing scenes are the most exciting; there Martin fights his most important bout. What makes it exciting is the fact that Armetta had bet all the lodge's funds on Martin. The romance is developed according to formula:—

While working as a waiter in Armetta's restaurant, Martin, who had left Montana in order to earn enough money in New York to pay his way through agricultural college, comes to the attention of Robert Allen, a fight manager. Allen signs him up, and, through a series of fixed fights, soon has him on top. Martin, not knowing that the fights had been fixed, lets success go to his head; he goes out on parties and takes to drink. Gloria Stuart, a sports writer who had fallen in love with Martin, wants to

help him. She pleads with Kane Richmond, who was to fight Martin, to knock him out, even though Allen's orders were to give the fight to Martin. Martin loses; this sobers him up. But it brings agony to Armetta, because he had bet the lodge's money on him. Miss Stuart takes over Allen's contract. Together with Slim Summerville, she trains Martin, who starts winning fights legitimately. Eventually she matches him with Richmond. Armetta again bets on Martin. For a time it looks as if Martin would lose, for he had found out the truth about his other fight with Richmond. But he regains his senses when Richmond tells him Miss Stuart loved him. He wins both the fight and Miss Stuart. Armetta is overjoyed.

Jerry Cady wrote the story, and Frances Hyland and Albert Ray, the screen play; Otto Brower directed it, and Jerry Hoffman produced it. In the cast are Inez Palange, Johnnie Pirrone, Pedro DeCordoba, and others.

Suitability, Class A.

"The Lady and the Mob" with Fay Bainter, Ida Lupino and Lee Bowman

(Columbia, April 3; time, 65 min.)

This farce is fair program entertainment. It has a novel plot which, although far-fetched, provides situations that are somewhat comical. There is excitement and comedy in the closing scenes, where the heroine uses drastic methods to outwit racketeers. The romance is fairly pleasant and is worked into the plot without interfering with the action:—

Annoyed when she learns that racketeers were forcing merchants to join their protective association, thus bringing up the cost to the consumer, Fay Bainter, the richest woman in town and president of the bank, decides to take matters into her own hands. When she realizes that she could get no place arguing with the racketeers, she goes to the Mayor, who asks her to keep out of his affairs. She then decides to form her own gang, and sends to New York for Warren Hymcr, a reformed pickpocket; upon his arrival she requests him to form the gang. Helped in her work by her future daughter-in-law (Ida Lupino), Miss Bainter starts acting; first of all, she buys a bullet-proof automobile and machine guns. With the help of her gang, she kidnaps a member of the racketeering gang in an effort to find out the name of their leader; he finally confesses that it was the Mayor. But Miss Bainter is arrested on a kidnapping charge; her men help her escape from jail. Accompanied by the District Attorney, she confronts the Mayor with evidence she had obtained; he confesses. With the racketeer mob wiped out, Miss Bainter goes back to normal living; she is happy when her son marries Miss Lupino.

George Bradshaw and Price Day wrote the story, and Richard Maibaum and Gertrude Purcell, the screen play; Ben Stoloff directed it, and Fred Kohlmar produced it. In the cast are Henry Armetta, Harold Huber, Joseph Sawyer, Tom Dugan, and others.

Adult fare. Class B.

"Society Lawyer" with Walter Pidgeon, Virginia Bruce and Leo Carrillo

(MGM, March 3; time, 77 min.)

A fair remake of "Penthouse," which was first produced by MGM in 1933. It should prove entertaining mostly to those who did not see the first picture, for this one suffers somewhat by comparison. Moreover gangster melodramas much more exciting than this have been produced since 1933. Nevertheless it should go over where stories of this type are liked, for the action is fast and at times exciting. As was the case in the first picture, it is strictly adult fare because of the somewhat demoralizing plot developments and of the racy dialogue. It has occasional bits of comedy and a pleasant romance:—

Because of the fact that Walter Pidgeon had defended a gangster (Leo Carrillo), obtaining his acquittal, his law partners upbraid him; he, therefore, resigns. His society sweetheart (Frances Mercer) breaks their engagement,

turning her affections to Lee Bowman, who promises to break up an affair he had been having with Ann Morriss. Carrillo, who worshipped Pidgeon even though he occasionally insulted him, insists on having two of his bodyguards trail him. He invites Pidgeon to his nightclub, where he introduces him to Virginia Bruce, an entertainer. In the meantime, Eduardo Ciannelli, a vicious gangster, who had been Miss Morriss' former lover, learns from her that her affair with Bowman was over; yet he desired revenge. He arranges to have them both at his home at a party, where he has one of his henchmen kill Miss Morriss, arranging the evidence so as to make it appear as if Bowman had committed the murder. Pidgeon undertakes to defend Bowman when he is arrested. Learning that Miss Bruce had been a friend of the murdered girl, Pidgeon suggests that she stay at his apartment, hoping that she would give him some leads just by talking naturally. She does. Although his life was endangered, Pidgeon goes on with the case and finally solves it. He forces the guilty man to confess. In an effort to protect Miss Bruce, Carrillo, who had been following her, sacrifices his own life in a gun fight with Ciannelli. Bowman is freed. With the case finished, Pidgeon proposes marriage to Miss Bruce and is accepted.

The plot was adapted from the story by Arthur Somers Roche; Frances Goodrich, Albert Hackett, Leon Gordon, and Hugo Butler wrote the screen play, Edwin L. Marin directed it, and John Considine, Jr., produced it. In the cast are Herbert Mundin, Frank M. Thomas, Edward S. Brophy, and others.

Unsuitable for children and adolescents. Class B.

"They Made Her a Spy" with Sally Eilers and Allan Lane

(RKO, April 14; time, 68 min.)

A pretty good program espionage melodrama. Although it starts off a little slowly, it gradually develops a fast pace, holding one's attention well. The action, that is, the manner in which the spy ring works, is interesting, and quite often exciting, in spite of the fact that parts of it seem far-fetched. Since the heroine, who is a sympathetic character, becomes a member of the spy ring in an effort to help the U. S. Government uncover the leader's identity, one is naturally held in suspense, fearing for her safety. The romance is pleasant:—

When her brother, an Army Lieutenant, is killed, because of sabotage, while demonstrating his new anti-aircraft shell, Sally Eilers gives up her position in order to join the U. S. Intelligence Service in an effort to break the spy ring. Through a ruse, she comes to the attention of one of the spy-ring leaders (Fritz Leiber), who is struck by her intelligence and daring; he makes her a member of the gang. During her work she meets Allan Lane, presumably a member of the gang, and works with him on several cases. Eventually, through the work of both Miss Eilers and Lane, the ring is broken and the leader, who, it develops, was a respected business man, together with his men, are arrested. It is then that Miss Eilers learns that Lane was a reporter, who had risked his life to get the story about the ring. Lane, too, is surprised to find that Miss Eilers was working for the Government. But they are both happy for they had fallen in love with each other.

George Bricker wrote the story, and Michael Kanin and Jo Pagano, the screen play; Jack Hively directed it, and Robert Sisk produced it. In the cast are Frank M. Thomas, Theodore Von Eltz, Addison Richards, Larry Blake, and Pierre Watkin.

Suitability, Class A.

"North of Shanghai" with Betty Furness and James Craig

(Columbia, February 10; time, 58 min.)

Ordinary program entertainment. The most exciting part of the picture is that portion in which have been used actual newsreel shots of Shanghai bombings. The story is somewhat confused and illogical, becoming particularly far-fetched in the closing scenes. Even though one sympathizes

with the hero and the heroine because of their bravery in the face of danger, one's interest wanders because of the rambling way in which the story unfolds. The romance is developed according to formula:—

Fearing that the articles Betty Furness, a reporter, had written against gangsters would result in injury to her and in damage to the newspaper, the editor insists that she leave the country for a time. He suggests that she go to Shanghai, all expenses to be paid by the firm. Miss Furness becomes acquainted with James Craig, a fellow-passenger, who was on his way to Shanghai to obtain newsreel pictures of the fighting. By the time they reach port they are very much in love with each other. Craig, who was worried for Miss Furness' safety, is surprised when he discovers her identity. Together they work on a case involving the manager of the Shanghai office of Miss Furness' newspaper, for they had learned that he was mixed up with a gang of international agents working against China. Craig and Miss Furness pass their information on to the head of a powerful Chinese society, and they are given aid with which to combat the enemies. They rout them in time to prevent an aerial bombing of an important Chinese arsenal. Craig and Miss Furness leave for New York, there to be married.

Harold Buchman and Maurice Rapf wrote the original screen play; D. Ross Lederman directed it. In the cast are Keye Luke, Morgan Conway, Joseph Downing, Russell Hicks, Dorothy Gulliver, and others.

Suitability, Class A.

"The Story of Vernon and Irene Castle" with Ginger Rogers and Fred Astaire

(RKO [1937-38], April 28; time, 92 min.)

Very good entertainment! It is one of the best Astaire-Rogers pictures, for it has a story with human appeal, romance, comedy, and, of course, excellent music and dancing. Considering that the story has been based on the life of Vernon and Irene Castle, two of the finest and most popular dancers in America during the pre-war period, the public should be curious enough to want to see the picture. Adult audiences should be delighted by the old songs and dances, which will bring back memories of days gone by. And it should prove entertaining to young folk, since it depicts an interesting period in the development of the dance. Both Miss Rogers and Astaire are extremely appealing, and dance the various numbers with grace. The ending, which is in keeping with facts, touches one deeply. The story starts in 1911 and continues through the war:—

After his meeting with Irene (Ginger Rogers), who wanted to go on the stage, Vernon Castle (Fred Astaire), who played slapstick comedy, decides to take her advice and give up comedy for dancing. They practice routines together; after a short courtship they decide to marry. Unable to interest American managers in a dancing act, they accept an offer to appear in a musical comedy in Paris; again they are disappointed, for the manager expected Vernon to do his comedy act. By chance, they come to the attention of Maggie Sutton (Edna May Oliver), a promoter-manager, who obtains for them an engagement at a famous cafe. They become overnight sensations, and money starts pouring in. They go back to America, where they make successful cross-country tours. After a time, they decide to retire, and settle down. But Vernon, who was English by birth, is restless and finally, to Irene's despair, enlists in the Aviation Corps. They meet once in Paris, just when America enters the war. Irene later goes to Hollywood, to act in motion pictures; she is overjoyed when she receives a telephone call that Vernon had arrived in America and was on his way to Texas to teach aviation to young Army students. They plan to meet at a certain hotel. But on that very day Vernon meets with an accident and is killed.

The plot was taken from two books by Irene Castle. Richard Sherman wrote the screen play, H. C. Potter directed it, and George Haight produced it. In the cast are Walter Brennan, Lou Fields, Etienne Girardot, Janet Beecher, Rolfe Sedan, and others.

Suitability, Class A.

visions with respect to arbitration machinery, and for that reason we again enclose the proposed basis for arbitration which we previously handed you. It is obvious that this is not complete and further elaboration will be necessary in the light of discussions and of your counsel's suggestions, but we believe that the statements of principle contained in it and in the revised memorandum enclosed herewith will furnish the foundation for the arbitration machinery desired."

The suggestions in the Code draft about arbitration cover location of the board, method of selection of arbitrators, the cost of the arbitration machinery, qualification of the arbitrators, and a few other matters.

EDITOR'S NOTE: Just before going to press, this office received an Allied release, part of which reads as follows:

"The trade practice proposals submitted by the distributors not only are incomplete, but they do not pretend to abolish compulsory block booking and blind selling, and do not touch the subject of theatre divorcement. The proposals do not provide relief at all commensurate with that asked by the Government suit. Under the aforementioned resolutions of the Board of Directors, Allied can follow no other course than to support and seek the passage of the Neely Bill (S. 280) to prohibit compulsory block booking and blind selling of motion pictures. . . ."

THE NATIONAL ANTHEM AND ITS PLACE IN MOVING PICTURE THEATRES

At a recent meeting of the Northampton (Mass.) Motion Picture Council, the reaction of the picture theatre audiences to the exhibition of the trailer "The Star Spangled Banner" was discussed.

Some of the members expressed regret that so few of the audiences in the theatres of that city stood at attention while the aforementioned trailer was exhibited.

Some of the speakers, however, exonerated the audiences and, though they recognized the sincerity of the motion picture industry in its decision to spread patriotism, they criticized the manner of showing it; they questioned the wisdom of showing the trailer at every performance.

The result of this discussion was a decision on the part of the Motion Picture Council to make the following suggestions to the local managers:

- (a) The film, if shown at every performance, should be shown in the beginning, when it is easier for people to stand up.
- (b) The showing of the trailer at every performance tends to cheapen the national anthem.
- (c) The showing be confined to national holidays and to patriotic occasions.
- (d) Every precaution be taken to prevent the conveying to the audiences of the impression that the trailer is an "ad or a preview of a coming attraction."

HARRISON'S REPORTS concurs with these suggestions and wishes that every theatre owner accept them. Nothing can do more to create disrespect for the national anthem than the showing of the reel every time a manager feels that the showing of it will bring prestige to his house; its showing should be prompted by more worthy motives.

The New York *Herald Tribune*, issue of March 5, had a fine editorial on patriotism, under the heading, "Proof of the Patriot." "Like charity," said part of the article, "patriotism is not puffed up." A patriot would no more think of calling himself a patriot than he would describe himself as a gentleman. The deeper his love for his land, the less he is likely to assure the neighbors that it exists, and under no circumstances will he be heard bellowing that fellow countrymen who hold opinions opposed to his own are traitors and lice."

The editorial continues in the same vein, remarking that it is better that Americans should not go in for mass hysteria over the flag, nor for any of those other paganistic forms that the totalitarian states so love to display, because patriotism cannot, as the editorial says, be fostered by parades or insignia; these merely promote arrogance. It closes as follows:

"The glorious quality of the American way always has been that you were free to follow it or not. It never was designed for solemnly lifted, shiny boots for everyday wear, nor for prostrate obeisance. Always it has been rough with disagreements and with virile cantankerousness, and far

from regarding it as perfect. Americans intend to go right on improving it."

HARRISON'S REPORTS feels that every theatre owner should own a print of the trailer, but it believes, like the members of the Northampton Motion Picture Council, that the country would be served by the motion picture industry better if the showing of it was to be confined to Sundays and holidays, as well as to patriotic occasions.

MGM ALREADY ADOPTING SOME OF THE TRADE PRACTICE REFORMS

At the annual convention of the MGM sales forces, which was held in Chicago on March 21 and 22, Mr. W. F. Rodgers, general manager of distribution of that company, announced that his company has already decided to adopt the following trade practices beginning now, and not until after the code has been ratified:

Abolition of the score charge.

Elimination of preferred playing time on percentage-with-a-guarantee pictures.

Selling of shorts (newsreels, trailers, shorts, westerns and "foreigns") will not be tied up with the features.

No MGM employee will be allowed to employ theatre-building as a means of compelling the exhibitor to buy the MGM product.

BOX-OFFICE PERFORMANCES OF 1938-39 SEASON'S PICTURES—No. 1

This is the second series of articles giving the box-office performances of 1938-39 season's pictures. The first series was printed beginning with the January 14 issue.

Columbia

"In Early Arizona," with Bill Elliott and Dorothy Gulliver; directed by Joseph Levering, from a screen play by Nate Gatzert: Good.

"Adventure in Sahara," with Paul Kelly, Lorna Gray, and C. Henry Gordon; directed by D. Ross Lederman, from a screen play by Maxwell Shane: Fair-Poor.

"Blondie," with Penny Singleton and Arthur Lake; produced by Robert Sparks and directed by Frank R. Strayer, from a screen play by Richard Flournoy: Good-Fair.

"The Terror of Tiny Town," with Bill Curtis and Yvonne Moray; directed by Sam Newfield, from a screen play by Fred Myton: Good-Poor.

"Strange Case of Dr. Mead," with Jack Holt and Beverly Roberts; produced by Larry Darmour and directed by Lewis D. Collins, from a screen play by Gordon Rigby: Fair-Poor.

"There's That Woman Again," with Melvyn Douglas and Virginia Bruce; produced by B. B. Kahane and directed by Alexander Hall, from a screen play by Philip G. Epstein, James E. Grant, and Ken Englund: Good-Fair.

"Smashing the Spy Ring," with Ralph Bellamy, Fay Wray, and Regis Toomey; directed by Christy Cabanne, from a screen play by Dorrell and Stuart McGowan and Arthur Horman: Fair-Poor.

"Homicide Bureau," with Bruce Cabot, Rita Hayworth, and Moroni Olsen; directed by C. C. Coleman, Jr., from a screen play by Earle Snell: Fair-Poor.

"Lone Wolf's Spy Hunt," with Warren William, Ida Lupino, and Virginia Weidler; produced by Joseph Siström and directed by Peter Godfrey, from a screen play by Jonathan Latimer: Fair-Poor.

"North of Shanghai," with Betty Furness and James Craig; directed by D. Ross Lederman, from a screen play by Maurice Rapp and Harold Buchman: Fair-Poor.

Nineteen pictures, including Westerns, have been released. Grouping the pictures of the different ratings from the beginning of the season, exclusive of four Westerns on which reports have not been obtained, we get the following results:

Excellent, 1; Good, 1; Good-Fair, 2; Good-Poor, 1; Fair, 2; Fair-Poor, 8.

The first nineteen pictures in the 1937-38 season, including Westerns, were rated as follows:

Excellent, 2; Good-Fair, 2; Good-Poor, 1; Fair, 4; Fair-Poor, 10.

HARRISON'S REPORTS

Vol. XXI

NEW YORK, N. Y., SATURDAY, APRIL 8, 1939

No. 14

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Mystery Plane—Monogram (60 min.)	38
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Sergeant Madden—MGM (80 min.)	50
Society Smugglers—Universal (70 min.)	43
Spirit of Culver—Universal (90 min.)	39
Stagecoach—United Artists (95 min.)	31
Star Reporter, The—Monogram (62 min.)	39
Sudden Money—Paramount (60 min.)	50
Three Musketeers, The—20th Century-Fox (72 m.)	26
Three Smart Girls Grow Up—Universal (87 min.)	51
Trouble in Sundown—RKO (60 min.)	42
Twelve Crowded Hours—RKO (64 min.)	30
What a Woman—Columbia (See "There's That Woman Again")	206
Whispering Enemies—Columbia (63 min.)	43
Wife, Husband and Friend—20th Cen.-Fox (79 m.)	30
Within the Law—MGM (64 min.)	51
Woman Doctor—Republic (65 min.)	26
Yes, My Darling Daughter—First National (74 m.)	42
You Can't Cheat an Honest Man—Universal (79 m.)	31

RELEASE SCHEDULE FOR FEATURES

Columbia Features

(729 Seventh Ave., New York, N. Y.)

9050 The Terror of Tiny Town—Midgets (63m.)	Dec. 1
9202 Rio Grande—Starrett (59m.)	Dec. 8
9022 The Strange Case of Dr. Mead—Holt	Dec. 15
9006 There's That Woman Again—Douglas-Bruce	Dec. 24
9015 Smashing the Spy Ring—Wray-Bellamy	Dec. 29
9035 Homicide Bureau—Cabot-Hayworth	Jan. 5
9203 The Thundering West—Starrett (58m.)	Jan. 12
9212 Frontiers of '49—All Star west. (54½m.)	Jan. 19
9014 Lone Wolf's Spy Hunt—William-Lupino	Jan. 27
9204 Texas Stampede—Starrett (57½ min.)	Feb. 9
9038 North of Shanghai—Furness-Craig	Feb. 10
9029 My Son Is a Criminal—A. Baxter-Wells	Feb. 22
9007 Let Us Live—Fonda-O'Sullivan	Feb. 28
9009 Blondie Meets the Boss—Singleton-Lake	Mar. 8
9213 Lone Star Pioneers—All Star west. (55m.)	Mar. 16
9023 Whispering Enemies—J. Holt-D. Costello	Mar. 24
Romance of the Redwoods—Bickford (re.)	Mar. 24
9205 North of the Yukon—Starrett (64 min.)	Mar. 30
9013 The Lady and the Mob—Bainter-Lupino	Apr. 3
First Offenders—Abel-Roberts	Apr. 12
9214 The Law Comes to Texas—Star west. (58m.)	Apr. 16
9206 The Oklahoma Trail—Starrett	Apr. 27
Only Angels Have Wings—Grant-Arthur	Apr. 30

First National Features

(321 W. 44th St., New York, N. Y.)

351 Angels With Dirty Faces—Cagney-O'Brien	Nov. 24
370 Comet Over Broadway—Francis-Hunter	Dec. 3
362 Heart of the North—Foran-Dickson	Dec. 10
359 Going Places—Powell-Louise-Huber	Dec. 31
371 Torchy Blane in Chinatown—Farrell	Feb. 4
372 Nancy Drew, Reporter—Granville-Thomas	Feb. 18
357 Yes, My Darling Daughter—P. Lane-Lynn	Feb. 25
361 Blackwell's Island—Garfield-R. Lane	Mar. 25
354 Dark Victory—Davis-Brent-Fitzgerald	Apr. 22
373 Sweepstakes Winner—Wilson-Jenkins (re.)	Apr. 29

Grand National Features

(50 Rockefeller Plaza, New York, N. Y.)

W1-2 Ride 'Em Cowgirl—Dorothy Page (52m.)	Jan. 20
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Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

920 Idiot's Delight—Shearer-Gable	Jan. 27
921 Four Girls in White—Rice-A. Marshall	Jan. 27
922 Honolulu—E. Powell-Young-Allen-Burns	Feb. 3
923 The Adventures of Huckleberry Finn—Rooney-Connolly	Feb. 10
924 Fast and Loose—Russell-Montgomery	Feb. 17
926 Let Freedom Ring—Eddy-Bruce-L. Barrymore	Feb. 24
980 Pygmalion—Hiller-Howard	Mar. 3
925 The Ice Follies of 1939—Crawford (re.)	Mar. 10
928 Within the Law—Hussey-Neal-Kelly	Mar. 17
927 Sergeant Madden—Beery-Curtis-Brown	Mar. 24
930 Society Lawyer—Bruce-Pidgeon	Mar. 31
931 Broadway Serenade—MacDonald-Ayres	Apr. 7
932 Calling Dr. Kildare—L. Barrymore-Ayres	Apr. 14
933 Lucky Night—Taylor-Loy	Apr. 21
929 The Kid from Texas—O'Keefe-Rice	Apr. 28
The Hardys Ride High—Stone-Rooney	May 5
A Hundred to One Shot—Douglas-Platt	May 12

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

- 3822 Convict's Code—Nagel-R. KentJan. 18
3853 Drifting Westward—Jack Randall (49m.) ...Jan. 25
3815 Navy Secrets—Wray-WithersFeb. 1
3862 Sundown on the Prairie—Ritter (53m.) ...Feb. 8
3828 Little Pal (The Healer)—ReissueFeb. 18
3821 Star Reporter—Hull-HuntFeb. 22
3820 Mystery of Mr. Wong—Boris KarloffMar. 1
3863 Rollin' Westward—Tex Ritter (51m.)Mar. 1
Mystery Plane (Sky Pirate)—Trent-Young.....Mar. 8
3854 Trigger Smith—RandallMar. 22
Undercover Agent—Gleason-Deane (56m.)...Apr. 5
Streets of New York—Cooper-Spellman ...Apr. 12
Wanted by Scotland Yard—J. Stephenson ...Apr. 19
3864 Man from Texas—Tex RitterApr. 30
Boys' Reformatory—Frankie DarroMay 1
Wolf Call—Movita-J. CarrollMay 8
3855 Riders of the Rio Grande—RandallMay 26

Paramount Features

(1501 Broadway, New York, N. Y.)

- 3817 Artists and Models Abroad—BennyDec. 30
3818 Disbarred—Patrick-KrugerJan. 6
3819 Zaza—Colbert-Marshall-LahrJan. 13
3820 Ambush—Swarthout-Nolan-HenryJan. 20
3821 Paris Honeymoon—Crosby-GaalJan. 27
3822 St. Louis Blues—Nolan-LamourFeb. 3
3823 Persons in Hiding—Overman-NaishFeb. 10
3824 Boy Trouble—Ruggles-BolandFeb. 17
3825 One Third of a Nation—Sidney-Erikson ...Feb. 24
3857 Sunset Trail—Boyd-Hayes (68 min.)Feb. 24
3826 Cafe Society—Carroll-MacMurrayMar. 3
3863 The Beachcomber—Laughton-Lanchester ...Mar. 10
3827 King of Chinatown—Wong-TamiroffMar. 17
3828 Midnight—Colbert-Ameche-LedererMar. 24
3829 Sudden Money—Ruggles-RambeauMar. 31
3858 Silver on the Sage—William Boyd (67m.)...Mar. 31
3830 I'm from Missouri—Burns-GeorgeApr. 7
3831 Bulldog Drummond's Secret Police—
Howard-Angel-WarnerApr. 14
3832 Never Say Die—Raye-Hope-CossartApr. 14
3833 Back Door to Heaven—Erwin-FordApr. 21
3834 The Lady's from Kentucky—Raft-DrewApr. 28
Union Pacific—Stanwyck-McCreaMay 5
Some Like It Hot—Hope-Ross-KrupaMay 12
Hotel Imperial—Miranda-Milland (re.)May 19

Republic Features

(1776 Broadway, New York, N. Y.)

- 808 Woman Doctor—Inescort-Wilcoxon-Jason ...Feb. 6
823 Forged Passport—Kelly-LangFeb. 24
824 I Was a Convict—MacLane-RobertsMar. 6
853 Rough Riders Roundup—Roy Rogers (58m.)...Mar. 13
810 My Wife's Relatives—Gleason-Davenport...Mar. 20
843 Mexicali Rose—Autry (58 min.)Mar. 27
865 The Night Riders—Three Mesq. (57 min.) ...Apr. 12

RKO Features

(1270 Sixth Ave., New York, N. Y.)

1937-38 Season

- 844 Fisherman's Wharf—Breen-CarrilloFeb. 3
838 Story of Vernon and Irene Castle—
Ginger Rogers-Fred AstaireApr. 28

1938-39 Season

- 915 Beauty for the Asking—Ball-KnowlesFeb. 24
917 Twelve Crowded Hours—Dix-BallMar. 3
918 The Saint Strikes Back—Sanders-BarrieMar. 10
983 Trouble in Sundown—George O'BrienMar. 24
920 Almost a Gentleman—Ellison-Wood-Kent ...Mar. 31
916 Love Affair—Boyer-DunneApr. 7
919 Flying Irishman—Corrigan-KellyApr. 7
921 They Made Her a Spy—Eilers-LaneApr. 14

Twentieth Century-Fox Features

(444 W. 56th St., New York, N. Y.)

- 8010 The Lady Vanishes—Lockwood-Redgrave ..Jan. 6
928 Charlie Chan in Honolulu—Toler-BrooksJan. 13
926 Mr. Moto's Last Warning—Lorre-CortezJan. 20
933 Smiling Along—Fields-Maguire-LiveseyJan. 20
921 Jesse James—Power-Fonda-KellyJan. 27
929 The Arizona Wildcat—Withers-CarrilloFeb. 3
925 Tail Spin—Faye-C. Bennett-Kelly-Farrell ...Feb. 10
927 The Three Musketeers—Ameche-Ritz Bros. ...Feb. 17
931 Pardon Our Nerve—Bari-Gale-WhalenFeb. 24
930 Wife Husband and Friend—Young-Baxter ...Mar. 3
934 Inside Story—Whalen-J. Rogers-Chandler ...Mar. 10
932 The Little Princess—Temple-GreeneMar. 17
935 Everybody's Baby—Prouty-Deane-Byington .Mar. 24
936 The Hound of the Baskervilles—
Greene-Rathbone-Barrie-BruceMar. 31
937 Mr. Moto in Danger Island—Lorre-DuffApr. 7
938 The Story of Alexander Graham Bell—
Ameche-Young-Fonda-LockhartApr. 14
939 Winner Take All—Martin-Stuart-Armetta ...Apr. 21
945 Inspector Hornleigh—Harker-Sim-Geray ...Apr. 21
940 Return of the Cisco Kid—Baxter-BariApr. 28
941 Chasing Danger—Foster-Bari-VernonMay 5
942 Rose of Washington Square—Power-Faye ...May 12
943 Police School—Withers-Whelan-BondMay 19
944 The Gorilla—Ritz Bros.-Louise-NorrisMay 26

United Artists Features

(729 Seventh Ave., New York, N. Y.)

- The Young in Heart—Gaynor-Fairbanks, Jr.Nov. 3
The Cowboy and the Lady—Cooper-OberonNov. 17
Trade Winds—March-J. Bennett-SothornDec. 22
The Duke of West Point—T. Brown-Hayward ...Dec. 29
Topper Takes a Trip—C. Bennett-Young-Burke ..Jan. 12
Made For Each Other—Lombard-J. StewartFeb. 10
King of the Turf—Menjou-D. Costello-AbelFeb. 17
Stagecoach—Trevor-Wayne-Devine-Carradine ...Mar. 3
Prison Without Bars—Edna BestMar. 10
Wuthering Heights—Oberon-Olivier-NivenApr. 7
Zenobia—Hardy-Burke-Langdon-BradyApr. 21
Captain Fury—McLaglen-Aherne-LangMay 5

Universal Features

(1250 Sixth Ave., New York, N. Y.)

- A3056 The Phantom Stage—Bob Baker (57m.)...Feb. 10
A3005 You Can't Cheat an Honest Man—Fields ..Feb. 17
A3024 Society Smugglers—Foster-HerveyFeb. 24
A3029 Risky Business—G. Murphy-D. KentMar. 3
A3014 Spirit of Culver—Cooper-Bartholomew ...Mar. 10
A3037 Mystery of the White Room—Cabot-Mack.....Mar. 17
A3001 Three Smart Girls Grow Up—Durbin (re.) Mar. 24
The Family Next Door—Herbert-Hodges ..Mar. 31
East Side of Heaven—Crosby-BlondellApr. 7
Big Town Czar—E. Sullivan-B. MacLane...Apr. 21
For Love or Money—Lang-KentApr. 28
Code of the Streets—Carey-Thomas, Jr. ...May 5
Hawaiian Holiday—Cast not setMay 19
Sun Never Sets—Fairbanks, Jr.May 26

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

- 319 Nancy Drew, Detective—Granville-LitelNov. 19
303 The Dawn Patrol—Flynn-Rathbone-Niven ...Dec. 24
313 Devil's Island—Karloff-HarriganJan. 7
317 King of the Underworld—BogartJan. 14
314 Off the Record—O'Brien-BlondellJan. 21
307 They Made Me a Criminal—GarfieldJan. 28
309 Wings of the Navy—Brent-deHavillandFeb. 11
320 Secret Service of the Air—Reagan-LitelMar. 4
308 The Oklahoma Kid—Cagney-Bogart-R. Lane.....Mar. 11
321 The Adventures of Jane Arden—Towne (re.) Mar. 18
323 On Trial—Lindsay-Litel-NorrisApr. 1
304 Dodge City—Flynn-deHavilland-Sheridan ...Apr. 8
316 Women in the Wind—Francis-Gargan-Jory ..Apr. 15

SHORT SUBJECT RELEASE SCHEDULE

Columbia—One Reel

9854	Screen Snapshots No. 4—(9½m.)	Dec. 15
9505	The Kangaroo Kid—Color Rhapsody (7½m.)	Dec. 23
9803	King Vulture—Sport Thrills (10½m.)	Dec. 23
9654	Community Sing No. 4—(10½m.)	Dec. 30
9902	Washington Parade—Issue #2 (11m.)	Jan. 6
9855	Screen Snapshots No. 5—(9m.)	Jan. 6
9753	Scrappy's Added Attraction—Scrappys (6½m.)	Jan. 13
9961	A Night In a Music Hall—Music Hall Vanities (11m.)	Jan. 20
9506	Peaceful Neighbors—Color Rhap. (8m.)	Jan. 26
9804	Odd Sports—Sport Thrills (9½m.)	Jan. 27
9704	Krazy's Bear Tale—Krazy Kat (7½m.)	Jan. 27
9655	Community Sing No. 5—(9½m.)	Jan. 27
9553	Big Town Commuters—Tours (9m.)	Feb. 3
9856	Screen Snapshots No. 6—(10m.)	Feb. 17
9507	The Gorilla Hunt—Col. Rhapsody (7½m.)	Feb. 24
9656	Community Sing No. 6	Feb. 24
9962	A Night at the Troc—Vanities (10½m.)	Mar. 2
9754	Scrappy's Side Show—Scrappys (6½m.)	Mar. 3
9857	Screen Snapshots No. 7—(9½m.)	Mar. 17
9805	Navy Champions (Get Ready Navy)—Sport Thrills (9½m.) (reset)	Mar. 17
9657	Community Sing No. 7—(10½m.)	Mar. 24
9508	Happy Tots—Color Rhapsody (6½m.)	Mar. 31
9705	Golf Chumps—Krazy Kat	Apr. 6
9903	Washington Parade—Issue #3 (reset)	Apr. 7
9858	Screen Snapshots No. 8	Apr. 8
9658	Community Sing No. 8	Apr. 21

Columbia—Two Reels

9184	The Falcon Strikes—G-Men #4 (16½m.)	Feb. 18
9405	We Want Our Mummy—Stooges (16½m.)	Feb. 24
9185	Flight from Death—G-Men #5 (19m.)	Feb. 25
9186	Phantom of the Sky—G-Men #6 (19½m.)	Mar. 4
9430	The Sap Takes a Rap—All star com. (16m.)	Mar. 10
9187	Trapped by Radio—G-Men #7 (15½m.)	Mar. 11
9188	Midnight Watch—G-Men #8 (16½m.)	Mar. 18
9431	Boom Goes the Groom—All star com. (17m.)	Mar. 24
9189	Wings of Death—G-Men #9 (18m.)	Mar. 25
9190	Flaming Wreckage—G-Men #10	Apr. 1
9406	A Ducking They Did Go—Stooges (16m.)	Apr. 7
9191	While a Nation Sleeps—G-Men #11	Apr. 8
9192	Scaled Orders—G-Men #12	Apr. 15
9432	A Star Is Shorn—All star (17m.)	Apr. 21
9193	Flame Island—G-Men #13	Apr. 22
9194	Jaws of Death—G-Men #14	Apr. 29
9433	The Chump Takes a Bump—All star com.	May 5
9195	The Falcon's Reward—G-Men #15	May 6

Metro-Goldwyn-Mayer—One Reel

C-935	Alfalfa's Aunt—Our Gang (11m.)	Jan. 7
S-904	Double Diving—Pete Smith (8m.)	Jan. 14
T-856	Ancient Egypt—Traveltalk (9m.)	Jan. 21
K-922	New Roadways—Passing Parade (10m.)	Jan. 28
F-954	How to Sublet—Benchley (8m.)	Jan. 28
W-881	Seal Skinners—Cartoons (8m.)	Jan. 28
M-876	Ice Antics—Miniatures (9m.)	Feb. 11
S-905	Heroes at Leisure—Pete Smith (10m.)	Feb. 11
W-882	Mama's New Hat—Cartoons (8m.)	Feb. 11
T-857	Imperial Delhi—Traveltalks (8m.)	Feb. 18
K-923	The Story of Alfred Nobel—Passing Parade (11 min.)	Feb. 18
C-936	Tiny Troubles—Our Gang (10m.)	Feb. 18
W-883	Jitterbug Follies—Cartoons (9m.)	Feb. 25
S-906	Marine Circus—Pete Smith (tch.)	Mar. 11
C-937	Duel Personalities—Our Gang (10m.)	Mar. 11
W-884	Wanted No Master—Cartoons (8m.)	Mar. 18
F-955	An Hour for Lunch—Benchley (9m.)	Mar. 18
K-924	Story of Dr. Jenner—Pass. Par. (10m.)	Mar. 18
T-858	Java Journey—Traveltalks (8m.)	Mar. 18
M-877	Love on Tap—Miniatures (11m.)	Mar. 18

Metro-Goldwyn-Mayer—Two Reels

R-803	A Dream of Love—Musical (17m.)	Jan. 28
P-812	Money to Loan—Crime Doesn't Pay (21m.)	Mar. 11
R-804	Somewhat Secret—Musicals (21m.)	Mar. 25

Paramount—One Reel

L8-3	Unusual Occupations #3—(10m.)	Dec. 2
K8-3	Costa Rica—Color Cruises (9m.)	Dec. 2
P8-5	Paramount Pictorial #5—(8½m.)	Dec. 9
V8-5	Oh Say, Can You Ski—Para. (10½m.)	Dec. 16
R8-6	Frolicking Frogs—Sport. (9½m.)	Dec. 23
T8-5	Pudgy in Thrills and Chills—B. B. (5½m.)	Dec. 23
E8-5	Cops Is Always Right—Popeye (7m.)	Dec. 30
C8-3	Always Kickin'—Color Classic (7m.)	Jan. 6
A8-6	A Song is Born—Headliner (9½m.)	Jan. 6
P8-6	Paramount Pictorial #6—(9m.)	Jan. 6
J8-3	Popular Science #3—(10m.)	Jan. 6
V8-6	The Unfinished Symphony—Para. (10m.)	Jan. 13
T8-6	My Friend the Monkey—B. Boop (6m.)	Jan. 20
R8-7	Two Boys and a Dog—Sport. (9½m.)	Jan. 20
E8-6	Customers Wanted—Popeye (7m.)	Jan. 27
K8-4	Land of Inca Memories—Color Cruise (9m.)	Jan. 27
A8-7	Music Through the Years—Head. (10m.)	Feb. 3
P8-7	Paramount Pictorial #7—(8½m.)	Feb. 3
L8-4	Unusual Occupations #4—(10m.)	Feb. 3
V8-7	That's Africa—Paragraphic (9m.)	Feb. 10
R8-8	Hold Your Breath—Spotlight (9m.)	Feb. 17
A8-8	Champagne Music of Lawrence Welk—Headliner (9½ min.)	Mar. 3
P8-8	Paramount Pictorial #8—(9½m.)	Mar. 3
V8-8	Circus Co-Ed—Paragraphic (9½m.)	Mar. 10
J8-4	Popular Science #4—(10m.)	Mar. 10
R8-9	The Sporting Irish—Spotlight (9½m.)	Mar. 17
L8-5	Republic of Panama—Cruises (8½m.)	Mar. 24
T8-7	So Does an Automobile—Boop (6m.) (re.)	Mar. 31
A8-9	Three Kings and a Queen—Head. (10½m.)	Apr. 7
P8-9	Paramount Pictorial #9—(9½m.)	Apr. 7
V8-9	Fisherman's Pluck—Paragraphic (9m.)	Apr. 14
R8-10	Good Skates—Spotlight (9m.)	Apr. 14
L8-5	Unusual Occupations #5	Apr. 14
C8-4	Small Fry—Color Classic	Apr. 21
E8-7	Leave Well Enough Alone—Popeye (re.)	Apr. 28

Paramount—Two Reels

EE8-1	Aladdin and His Wonderful Lamp—Technicolor Popeye special (21½m.)	Apr. 7
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RKO—One Reel

94060	Gold—Reelism (9m.)	Feb. 10
94207	Readin' Ritin' and Rhythm—NuAtlas (10m.)	Feb. 17
94307	Snow Falls—Sportscope (9m.)	Feb. 24
94109	Practical Pig—Disney (8m.)	Feb. 24
94607	Air Waves—Reelism (10m.)	Mar. 10
94110	Goofy and Wilbur—Disney cart. (8m.)	Mar. 17
94208	Samovar Serenade—Musical (10m.)	Mar. 17
94308	Sporting Wings—Sportscope (9m.)	Mar. 24
94608	Soldiers of the Sea—Reelism	Apr. 7
94111	The Ugly Duckling—Disney cart. (9m.)	Apr. 7
94209	Hello Mama—NuAtlas	Apr. 14
94309	Not Yet Titled—Sportscope	Apr. 21
94112	Hockey Champ—Disney cartoon	Apr. 28

RKO—Two Reels

93107	March of Time—(19m.)	Feb. 17
93603	Swing Vacation—Headliner (19m.)	Feb. 24
93704	Home Boner—Leon Errol—(20m.)	Mar. 10
93108	March of Time—(18m.)	Mar. 17
93403	Clock Wise—Edgar Kennedy (16m.)	Mar. 24
93503	Ranch House Romeo—Ray Whitley (17m.)	Apr. 7
93109	March of Time	Apr. 14
93203	Dog Gone—Radio Flash (16½m.)	Apr. 21

Twentieth Century-Fox—One Reel

9303	Hunting Dogs—Sports (10½m.)	Mar. 3
9510	Gandy Goose in G-Man Jitters—Terry-Toon (6½ min.)	Mar. 10
9105	Mystic Siam—Lowell Thomas (10m.)	Mar. 17
9527	The Nutty Network—Terry-Toon	Mar. 24
9603	Fashion Forecasts No. 3	Mar. 31
9511	The Cuckoo Bird—Terry-Toon	Apr. 7
9304	Inside Baseball—Sports	Apr. 14
9512	Their Last Bean—Terry-Toon	Apr. 21
9106	Good Neighbors—Lowell Thomas	Apr. 28

Universal—One Reel

A3358 Going Places With Thomas #60—(10m.) ..Feb. 20
A3250 Birth of a Toothpick—Lantz cart. (7½m.) ..Feb. 27
A3371 Stranger Than Fiction #60—(9m.)Mar. 6
A3359 Going Places With Thomas #61—(9m.)...Mar. 13
A3251 Little Tough Mice—Lantz cart. (7m.)Mar. 13
A3252 One Armed Bandit—Lantz cart. (7m.)Mar. 27
A3372 Stranger Than Fiction #61—(9m.)Apr. 3
A3253 Crack Pot Cruise—Lantz cart. (6½m.) ...Apr. 10
A3373 Stranger Than Fiction #62May 1

Universal—Two Reels

A3786 Ghost Town Menace—Scouts #6 (20m.) ...Feb. 21
A3787 Destroyed by Dynamite—Scouts #7 (19m.) ..Feb. 28
A3788 Thundering Hoofs—Scouts #8 (17m.).....Mar. 7
A3789 The Fire God Strikes—Scouts #9 (18m.)...Mar. 14
A3228 Bank Notes—Mentone (19m.)Mar. 15
A3790 Battle of Ghost Town—Scouts #10 (10m.)..Mar. 21
A3791 Hurling Through Space—Sc. #11 (20m.)..Mar. 28
A3792 The Boy Scouts Triumph—Sc. #12 (17m.)..Apr. 4
A3881 Tomorrow's World—Rogers #1 (21m.) ...Apr. 11
A3229 Cafe Boheme—Mentone (17m.)Apr. 12
A3882 Tragedy on Saturn—Rogers #2 (21m.)Apr. 18
A3883 The Enemy's Stronghold—Rog. #3 (21m.)..Apr. 25
A3884 The Sky Patrol—Rogers #4 (20m.)May 2

Vitaphone—One Reel

4506 Daffy Duck in Hollywood—Mer. Mel. (8m.) ..Dec. 3
4705 Happy Felton & Orch.—Mel. Mast. (10m.)..Dec. 3
4304 Treacherous Waters—True Adv. (10m.)...Dec. 10
4904 Robbin' Good—Vit. Varieties (10m.)Dec. 10
4805 Porky the Gob—Looney Tunes (8m.)Dec. 17
4507 Count Me Out—Merrie Melodies (7m.)Dec. 17
4706 Dave Apollon & Orch.—Mel. Mast. (11m.)..Dec. 24
4508 The Mice Will Play—Mer. Mel. (7m.)Dec. 31
4605 Mechanix Illustrated #2—Col. Par. (10m.) ..Jan. 7
4305 Human Bomb—True Adv. (11m.)Jan. 7
4707 Clyde Lucas & Orch.—Mel. Mast. (10m.) ...Jan. 7
4806 The Lone Stranger & Porky—L. Tunes (7m.)..Jan. 7
4509 Doggone Modern—Mer. Mel. (7m.)Jan. 14
4905 Ski Girl—Varieties (8m.)Jan. 14
4708 Blue Barron & Orch.—Mel. Mast. (8m.)Jan. 21
4510 Ham-ateur Night—Mer. Mel. (8m.)Jan. 28
4807 It's an Ill Wind—L. Tunes (7m.)Jan. 28
4606 Points on Pointers—Color Par. (9m.)Jan. 28
4709 Jerry Livingston & Orch.—Mel. M. (10m.)..Feb. 4
4511 Robinhood Makes Good—Mer. Mel. (8m.) ..Feb. 11
4306 High Peril—True Adv. (9m.) (re.)Feb. 18
4808 Porky's Tire Trouble—L. Tunes (7m.)Feb. 18
4906 Gadgets—Varieties (11m.)Feb. 18
4403 The Master's Touch—Tech. Spec. (9m.)Feb. 18
4607 Mechanix Illustrated #3—Color Par. (10m.)..Feb. 25
4512 Goldrush Daze—Mer. Mel. (7m.)Feb. 25
4710 Russ Morgan & Orch.—Mel. Mast. (9m.) ...Feb. 25
4307 A Minute from Death—True Adv. (11m.)...Mar. 4
4403 The Master's Touch—Tech. Spec. (9m.)Mar. 11
4513 A Day at the Zoo—Mer. Mel. (8m.)Mar. 11
4809 Porky's Movie Mystery—L. Tunes (7m.) ...Mar. 11
4907 Tax Trouble—Varieties (11m.)Mar. 18
4712 Clyde McCoy & Orch.—Mel. Mast. (9m.) ..Mar. 18
4608 The Roaming Camera—Color Par. (9m.) ...Mar. 25
4514 Prest-o Change-o—Mer. Mel. (7m.)Mar. 25
4308 Chained—True Adv. (11m.)Apr. 1
4810 Chicken Jitters—Looney Tunes (6½m.) ...Apr. 1
4515 Bars and Stripes Forever—Mer. Mel. (8m.)..Apr. 8
4711 Dave Apollon & Orch.—Mel. Mast. (10m.)..Apr. 8
4908 The Right Way—VarietiesApr. 15
4811 Porky and Teabiscuit—Looney TunesApr. 22
4516 Daffy Duck & Dinosaur—Mer. Mel. (8m.) ..Apr. 22
4609 Mechanix Illustrated #4Apr. 22
4713 Artie Shaw & Orch.—Mel. Mast.Apr. 29

Vitaphone—Two Reels

4020 Sundae Serenade—Bway. Brev. (17m.)Feb. 25
4022 Projection Room—Bway. Brev. (19m.)Mar. 4
4023 Home Cheap Home—Bway. Brev. (18m.) ...Mar. 18
4024 A Fat Chance—Bway. Brev. (18m.)Mar. 25
4025 Rollin' in Rhythm—Bway. Brev. (18m.)Apr. 15
4005 Sons of Liberty—Technicolor (21m.)Apr. 22
4026 Seeing Spots—Bway. Brev.Apr. 29

NEWSWEEKLY NEW YORK RELEASE DATES

Universal

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95179 Sat. (O.)..Apr. 22
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95284 Wed. (E.)..May 10
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A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING**Vol. XXI****SATURDAY, APRIL 15, 1939****No. 15****FACTS MR. W. F. RODGERS MUST
BEAR IN MIND**

From his testimony before the Subcommittee of the Senate Committee on Interstate Commerce, which has conducted the hearings on the Neely Bill, one gathers the impression that Mr. W. F. Rodgers, de facto head of the distributor committee that has been negotiating with exhibitor representatives for trade reforms, has been irked because the Allied leaders have failed to accept the final reforms draft, which was submitted to them on the first day of April. Early last year Mr. Rodgers, having made a favorable impression with them for honesty of purpose and fair dealing, was given to understand that, if a distributor committee were appointed to negotiate with Allied for trade reforms, it would receive their support, provided he were to head such committee. And now he seems to be disappointed because Allied has failed to accept these reforms.

For him to understand why Allied, in my personal opinion, has refused to accept the final distributor proposals, Mr. Rodgers must bear in mind several factors.

The first factor is the mistake the distributors made in inviting into these conferences representatives of Motion Picture Theatre Owners of America. Mr. Rodgers was warned in the very beginning that, since this organization, the producers' stepchild, has been used by them to thwart the exhibitors in their efforts to obtain legislative relief, the dragging of it into the conferences would cause the confidence of the independent exhibitors in the producer sincerity to be destroyed; the exhibitors would feel that the producers are not any more sincere now than they were in the past.

The fact that the meetings with representatives of this organization were held separately does not seem to have made much difference; the exhibitors know that this organization is supported with producer money and cannot believe that the presence of its representatives in exhibitor-producer conferences for trade reforms would bring any benefit to the independent exhibitors.

The second mistake was the fact that the distributor committee told the Allied committee, at the very first meeting, that discussion of block-booking and theatre-divorcement definitely and irrevocably would not be discussed. At that meeting, some members of the Allied committee felt that, what they should have done should be to take their hats and say to the members of the distributor committee: "Good day, gentlemen! We'll see you in Washington," and go. There was no use, as they saw it, starting negotiations for trade reforms with a committee that had been instructed beforehand how much they were to give and how far they were to go, for under these circumstances they would be dealing with men who were not to determine what is fair and what unfair, but merely what has been decided upon. They have not yet forgotten the money Allied spent and the time it wasted during the 5-5-5 conferences. They had not doubted the sincerity of Mr. Kent then, just as they do not doubt the sincerity of Mr. Rodgers now, but since those efforts of theirs came to nothing, because the producers failed to adopt the reforms, they feared lest it be a repetition of what happened then. But others felt that another effort was worth making; and they stayed.

Did the distributor-lawyers' dilatory tactics help matters? Not at all; the exhibitor representatives saw that, instead of meeting men to men and deciding what is to be done to bring peace, they were dealing with the same lawyers who, from behind the scenes, have frustrated every

independent exhibitor effort to come to an understanding with the producers. The fact that these lawyers have employed the same tactics as before—obscurity of language, the effect of which would undoubtedly have been to take away with the left hand what the right hand gave, did not contribute to the building up of the confidence so necessary in negotiations of this kind.

The misunderstanding as to whether there was or there was not "an agreement in principle" in Chicago, played up by some trade papers, further contributed to arouse suspicion in the minds of the Allied committee. Mr. Rodgers may not have been responsible for that—the misunderstanding may have been one of those natural happenings in life; but it did not help.

The failure of the distributors to come forward with an arbitration plan, so close to the heart of the Allied organization, is an additional contributory cause, "... any proposals," last week's Allied statement said, "to merit consideration, must contain all the details of arbitration. ..."

The other important factors Mr. Rodgers must take into consideration are these:

The methods that were employed by Paramount to kill the theatre-divorcement law in North Dakota.

The fact that Allied finds it difficult to let down the public groups that are seeking the enactment of the Neely Bill. Allied sought their cooperation in its efforts to have the Brookhart Bill, and afterwards the Neely Bill, enacted into a law by Congress. And they gave it unstintingly. How can it now say to these groups: "We are giving up our fight, because we have obtained a modicum of concessions in the selection of pictures"? It would not sound very well. After all, it was due to the aid the public groups have given to it that Allied was able to have the Neely Bill put through the Senate last year. And it has been the fear that the Neely Bill may, after all, become a law, that has prompted the producers to give as high a cancellation privilege as 20% in some cases. Without the passage of the Neely Bill by the Senate, it is doubtful whether the producers would have gone so far. Consequently Allied is, in a way, under a moral obligation to these groups.

The failure of the producers to offer to the exhibitors a solution of the problem of theatre ownership—a problem which Allied considers the root of all the trade abuses. As a matter of fact, the producers have refused, as said, even to discuss it, let alone to solve it.

But the most important factor is the suit that the U. S. Government has brought against the producers. The Allied leaders undoubtedly feel that, since the producers have refused to discuss separation of theatres, and since the U. S. Government's action seeks to bring this about, they might just as well wait for the suit to be tried, in the meantime offering to the Government whatever aid they can for the winning of the suit. If the Government should win it, not only this but all the other abuses will be eradicated.

An additional reason why Allied is willing, in the opinion of this paper, to wait for the Government's suit, even if the concessions the producers are now offering were to be highly satisfactory to the independent exhibitors, is the fact that it has no means to compel the distributors to adopt these reforms permanently. They no doubt feel that a change in administration in Washington may enable them to cancel these concessions. And who dares say that they will not cancel them under such circumstances? But they cannot disregard a court decision.

"The Story of Alexander Graham Bell"
with Don Ameche, Loretta Young
and Henry Fonda

(20th Century-Fox, April 14; time, 96½ min.)

A pretty good box-office attraction. It is a fairly interesting drama revolving around the struggles of Alexander Graham Bell to perfect his telephone invention; but the story does not concentrate entirely on the technical end, for the romance, enacted delightfully by Ameche and Miss Young, plays an important part in the development of Bell's career. The character of Bell, as portrayed by Ameche, is a fine one; he wins one's sympathy by his idealistic approach to his work. One of the most touching situations is that in which he is able to train a young boy, who was a deaf-mute, to utter the word "father" to his grieving parent. Henry Fonda, as an assistant, supplies the lighter mood by his constant grumbling because of the lack of food:—

Bell, assisted by Thomas Watson (Henry Fonda), works under trying conditions to perfect a new telegraphic invention. Through the aid of Thomas Sanders (Gene Lockhart), who appreciated the work Bell was doing in training his young son, a deaf-mute, Bell meets Gardner Hubbard (Charles Coburn), who shows willingness to finance Bell in his work. Bell falls in love with Hubbard's eldest daughter (Loretta Young), who was deaf. She did not consider it a handicap, however, for she was an expert lip-reader, and could thus hold regular conversations. Bell provokes Hubbard's criticism when he drops his work on the telegraph to devote his talents to a new invention, the telephone. Hubbard withdraws his financial aid, and forbids Bell to see his daughter. Discouraged by his inability to make progress, and disheartened by being separated from the girl he loved, Bell is about ready to give up. But Miss Hubbard visits him and insists that he go on with his work. Finally, at a public demonstration of the telephone, Hubbard is convinced of its practicability, and shows willingness to invest more money in it: at the same time he gives his consent to the marriage. Just when things begin to look bright, a rival company puts out a similar instrument. Bell and his partners bring a suit against them, and finally come out victorious. Bell is doubly happy, for not only was his business good, but he had become a father.

Ray Harris wrote the story, and Lamar Trotti, the screen play; Irving Cummings directed it, and Kenneth Macgowan produced it. In the cast are Spring Byington, Sally Blane, Polly Ann Young, Georgiana Young, Bobs Watson, and others.

Suitability, Class A.

**"Bulldog Drummond's Secret Police" with
John Howard and Heather Angel**

(Paramount, April 14; time, 54 min.)

A fair program melodrama. The story is a little weaker than some of the others in this series; as a matter of fact, it is so thin, that in one situation, where the hero is supposed to be having a dream, exciting scenes from previous pictures have been inserted. The photography in some spots is so dark that it is difficult for one to see what is happening. It does, however, end in a thrilling way,—with an exciting chase through an eerie underground passage. One is held in suspense during these situations, because of the danger to the heroine, who was held as hostage by the villain. There is plentiful comedy, which is provoked by the blundering efforts of the hero's friend. And again the marriage plans of the hero and the heroine are thwarted:—

On the eve of his marriage, John Howard (Bulldog Drummond) receives a visit from a professor (Forrester Harvey). He is surprised when Harvey tells him that he had discovered, through research work, the fact that a treasure was hidden in an underground pas-

sage under Howard's home; it had been hidden there by an ancestor. Urged by his fiancée (Heather Angel) not to look for trouble, Howard decides to let the matter go. But that night, he is attacked; and the book containing the secret code to the hiding place that he had been reading is stolen. And the professor is killed. It develops that the new butler (Leo Carroll), who had been engaged to assist at the wedding, was in reality an escaped criminal who knew about the professor's discovery. He kidnaps Miss Angel and forces her to go with him through the secret tunnel. By following instructions, he finds the treasure. But Howard and his friends had found the secret entrance and had followed him. Carroll tries to trap the men; but Miss Angel, by throwing the treasure into the whirlpool beneath them, gets Carroll away from the lever controlling the iron door. She pulls the lever up, freeing the men. In a gun fight, Carroll is shot, falling to his death. Again the wedding is postponed; this time by an explosion.

The plot was adapted from the story by H. C. McNeile; Garnett Weston wrote the screen play; James Hogan directed it, and Edmund T. Lowe produced it. In the cast are H. B. Warner, Elizabeth Patterson, Reginald Denny, E. E. Clive, and others.

Suitability, because of the murder, Class B.

**"On Trial" with John Litel, Margaret
Lindsay and Janet Chapman**

(Warner Bros., April 1; time, 61 min.)

Just a moderately entertaining courtroom melodrama, of program grade. Produced twice before (once in 1917 and again in 1928), the story, judging by present times, is rather old-fashioned. One feels sympathy for both the hero and the heroine, but this does not suffice to hold one's attention. A bad feature is the fact that murder is condoned; the hero is finally set free even though it was he who had committed the murder. In the picture produced in 1928, it was shown that the hero had been accused of the murder unjustly, the dead man's secretary being shown as the guilty person. The situation where little Janet Chapman testifies in court on behalf of her father is powerful; she speaks her lines so well, and acts with such emotional understanding, that the spectator is held spellbound. There is very little else to recommend it. The action takes place in a courtroom with flashbacks to tell the story:—

John Litel suspects that his wife (Margaret Lindsay), whom he loved, had had an affair with James Stephenson, a friend of his. Litel goes to Stephenson's home and kills him. He is arrested. Since he refused to testify at the trial, the District Attorney sets up a case whereby he tries to prove that Litel had gone there with the intention of robbing Stephenson's safe of \$20,000, and that, when Stephenson surprised him, he had killed him. Miss Lindsay who, shocked by the course of events, had been taken to a hospital, recovers sufficiently to go to court to testify for her husband. She tells the Court that, before she had met Litel, she had known Stephenson, who, unknown to her, had been married. She had arranged to elope with him, but had been saved by the timely arrival of Stephenson's wife (Nedda Harrigan). She had then married Litel, and had found happiness with him and their child. She had accidentally met Stephenson, who threatened to tell her husband lies about her unless she visited him at his summer home; she had gone there to plead with him to leave her alone. Litel had misunderstood and killed him. Litel's attorney then proves that the robbery had been committed by Stephenson's secretary. The jury finds Litel not guilty.

The plot was adapted from the play by Elmer Rice; Don Ryan wrote the screen play, Terry Morse directed it, and Bryan Foy produced it. In the cast are Edward Norris, Larry Williams, William Davidson, and others.

Unsuitable for children. Class B.

**"First Offenders" with Walter Abel,
Beverly Roberts and Johnny Downs**

(Columbia, April 12; time, 61 min.)

Just a moderately entertaining program melodrama. The story is in some respects unpleasant, for it revolves mainly around a young man for whom one feels little sympathy. The fact that he had killed his young sweetheart under a suicide pact, losing courage when it came to killing himself, immediately brands him as a coward. His actions later cause one to feel even more dislike for him, since they are motivated by a desire for revenge on the District Attorney, who, in line with his duty, had brought about this young man's conviction on a charge of murder. One feels sympathy for the District Attorney, who gives up a career as a public prosecutor in order to help young men establish themselves as decent citizens. The romance is mildly pleasant:—

Johnny Downs, after having served a term for the murder of his sweetheart, is released from prison; he heads for the farm for young men established by the former District Attorney (Walter Abel), who had prosecuted him, his intention being to kill him. But Abel stops him from doing this, and, instead, offers him his friendship. Downs decides to stay at the farm, but insists that he would get even with Abel in some way. His opportunity comes at a party given for the sponsors of the farm; he steals the personal belongings of some of the guests. This causes an uproar, and the sponsors decide to withdraw their backing. Abel rushes after Downs and prevents him from joining forces with two crooks, who had planned a holdup. He takes him to the scene of the crime, to which the police had been tipped off; Downs breaks down when he sees the police shoot the two crooks. Ashamed of himself, he returns the things he had stolen. The sponsors once again back Abel, making every one, including Downs, happy.

J. Edward Slater wrote the story, and Walter Wise, the screen play; Frank McDonald directed it. In the cast are Iris Meredith, Diana Lewis, John Hamilton, and others.

Unsuitable for children or adolescents. Class B.

**"Streets of New York" with Jackie Cooper
and Martin Spellman**

(Monogram, April 12; time, 72 min.)

A very good entertainment; it centers around young boys of the streets. It has human interest, plentiful comedy, and some action of the gangster type. The performances by Jackie Cooper and Martin Spellman are outstanding; they win one's sympathy by their actions. One's interest is held well, for the plot is developed in a realistic manner. One of the most appealing situations is that depicting Christmas Day, in which young Spellman, who was crippled and had little faith in mankind, is made happy through the generosity of a kind Judge. There is no romance.

In the development of the plot, Jackie Cooper, who ran a newsstand during the day and studied law at night, refuses to accept any help from his gangster brother (Dick Purcell), even though he was tormented by a young hoodlum, who wanted to take his newsstand away. Cooper lives in a basement room with young Spellman, a crippled orphan newsboy, who worked for him; besides all his other work, he had undertaken to care for the boy. Cooper comes to the attention of a Judge (George Irving), whom he had impressed by his intelligence. The Judge invites Cooper, with all the boys who worked for him, to his home for Christmas dinner, surprising each one with a gift; this brings joy to them. But Cooper is downcast when he reads about the murderous activities of his brother. The brother gets into real trouble when he kills two persons in an

effort to compel the owner of a trucking concern to join his "protective" association. He tries to hide out in Cooper's room; but Cooper refuses to help him. In a fight with Cooper, Purcell shoots young Spellman; but he is captured through Cooper's help. Spellman eventually recovers, and Cooper continues with his law studies.

Robert Andrews wrote the original screen play; William Nigh directed it, and William T. Lackey produced it. In the cast are Sidney Miller, Buddy Pepper, Bobby Stone, David Durand, Robert Emmett Keane, Marjorie Reynolds, and others.

Suitability, Class A.

**"Wuthering Heights" with Merle Oberon.
David Niven and Laurence Olivier**

(United Artists, April 7; time, 97 min.)

From the production point of view, it is a fine artistic achievement. As entertainment, however, its appeal will be limited to class audiences. The acting, direction, and production are all excellent; but the story is so sombre and cheerless, that most persons will leave the theatre depressed. Although the plot has been altered radically, it still remains unpleasant in some respects, particularly in the characterization of the hero, whose desire for revenge brings suffering to several persons. Since the story is mainly a psychological study of two passionate characters, whose romance had been frustrated, the action is restricted mostly to talk; thus the picture becomes somewhat draggy at times:—

A young boy, picked up in the streets of Liverpool by the generous owner of Wuthering Heights, an English manor house, is happy to be made one of the family. His benefactor's two children have different natures: the young daughter treats him as an equal, whereas the sullen young son is brutal toward him. When the father dies, the son humiliates the young boy by making him a stable hand. They grow up; the head of the house (Hugh Williams) had lost none of his brutal ways, making his stable hand (Laurence Olivier) miserable. What induced Olivier to remain was his passionate love for Williams' sister (Merle Oberon), who felt the same way towards him. But Miss Oberon longed to get away from the dismal surroundings of her home; she is charmed by the gaiety and beauty of the life led by wealthy David Niven and his sister (Geraldine Fitzgerald). Olivier, because of jealousy, quarrels with her about Niven. When he overhears Miss Oberon telling her maid (Flora Robson) that Niven had proposed to her, he leaves the house during a storm. Miss Oberon, frantic at the thought of losing him, follows him. She becomes seriously ill, and is nursed back to health at Niven's home. Eventually she marries Niven, and is quite happy until Olivier returns, a wealthy man. His one desire was to avenge himself on all those who had hurt him. By buying up all of Williams' gambling and drinking debts, he becomes the owner of Wuthering Heights, and torments Williams. Knowing that Miss Oberon still loved him as he loved her, he purposely tries to hurt her by marrying Niven's sister, whom he mistreats. Hearing that Miss Oberon was very ill, he rushes to her bedside; she dies in his arms. Overcome with grief, he becomes even more sullen and brutal. One night, hearing her calling to him, he follows her to their former meeting place, where he dies.

The plot was adapted from the story by Emily Bronte. Ben Hecht and Charles MacArthur wrote the screen play; William Wyler directed it, and Samuel Goldwyn produced it. In the cast are Donald Crisp, Leo G. Carroll, Cecil Humphreys, Miles Mander, Romaine Callender, and others.

Although there is nothing morally wrong, it is too sombre for children; best suited for adults. Class B.

BOX-OFFICE PERFORMANCES OF 1938-39 SEASON'S PICTURES—No. 2

First National

"Comet over Broadway," with Kay Francis, Ian Hunter, and John Litel; produced by Bryan Foy and directed by Busby Berkeley, from a screen play by Mark Hellinger: Fair-Poor.

"Heart of the North," with Dick Foran, Patric Knowles, Gale Page, and Gloria Dickson; produced by Bryan Foy and directed by Lewis Seiler, from a screen play by Lee Katz and Vincent Sherman: Good-Fair.

"Going Places," with Dick Powell, Anita Louise, Harold Huber, and Allen Jenkins; produced by Benjamin Glazer and directed by Ray Enright, from a screen play by Maurice Leo, Jerry Wald, and Sig Herzig: Good-Fair.

"Torchy Blane in Chinatown," with Glenda Farrell and Barton MacLane; produced by Bryan Foy and directed by William Beaudine, from a screen play by George Bricker: Fair-Poor.

"Nancy Drew, Reporter," with Bonita Granville and Frankie Thomas, Jr.; produced by Bryan Foy and directed by William Clemens, from a screen play by Carolyn Keene and Kenneth Gamet: Fair-Poor.

"Yes, My Darling Daughter," with Priscilla Lane and Jeffrey Lynn; produced by Benjamin Glazer and directed by William Keighley, from a screen play by Casey Robinson: Very Good-Good.

Thirteen pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 1; Excellent-Good, 1; Very Good-Good, 1; Very Good-Fair, 2; Good-Fair, 2; Fair, 1; Fair-Poor, 5.

The first thirteen pictures in the 1937-38 season were rated as follows:

Very Good-Good, 2; Good, 2; Good-Fair, 3; Fair, 5; Fair-Poor, 1.

Metro-Goldwyn-Mayer

"Out West with the Hardys," with Mickey Rooney, Lewis Stone, and Cecilia Parker; directed by George B. Seitz, from a screen play by Kay Van Riper, Agnes C. Johnston, and William Ludwig: Excellent-Good.

"Flirting with Fate," with Joe E. Brown and Beverly Roberts; produced by David Loew and directed by Frank McDonald, from a screen play by Joseph M. March, Ethel LaBlanche, Charlie Melson, and Hary Clark: Good-Poor.

"Dramatic School," with Luise Rainer, Paulette Goddard, and Alan Marshal; produced by Mervyn LeRoy and directed by Robert B. Sinclair, from a screen play by Ernest Vajda and Mary McCall, Jr.: Good-Poor.

"A Christmas Carol," with Reginald Owen, Gene Lockhart, and Terry Kilburn; produced by Joseph Mankiewicz and directed by Edwin L. Marin, from a screen play by Hugo Butler: Good-Poor.

"The Girl Downstairs," with Franchot Tone, Franciska Gaal, and Walter Connolly; produced by Harry Rapf and directed by Norman Taurog, from a screen play by Harold Goldman, Felix Jackson, and Karl Noti: Good-Fair.

"Sweethearts," with Jeanette MacDonald and Nelson Eddy; produced by Hunt Stromberg and directed by W. S. VanDyke, from a screen play by Dorothy Parker and Alan Campbell: Excellent-Very Good.

"Stand Up and Fight," with Robert Taylor, Wallace Beery, and Florence Rice; produced by Mervyn LeRoy and directed by W. S. VanDyke II, from a screen play by James H. Cain, Jane Murfin, and Harvey Ferguson: Excellent-Good.

"Burn 'Em Up O'Connor," with Dennis O'Keefe, Cecilia Parker, and Nat Pendelton; produced by Harry Rapf and directed by Edward Sedgwick, from a screen play by Milton Merlin and Byron Morgan: Fair-Poor.

"Idiot's Delight," with Norma Shearer and Clark Gable; produced by Hunt Stromberg and directed by Clarence Brown, from a screen play by Robert E. Sherwood: Excellent-Fair.

"Four Girls in White," with Florence Rice, Alan Marshal, Ann Rutherford, and Kent Taylor; produced by Nat Levine and directed by S. Sylvan Simon, from a screen play by Dorothy Yost: Good-Fair.

"Honolulu," with Robert Young, Eleanor Powell, George Burns, and Gracie Allen; produced by Jack Cummings and directed by Edward Buzzell, from a screen play by Herbert Fields and Frank Partos: Very Good-Good.

"The Adventures of Huckleberry Finn," with Mickey Rooney, Walter Connolly, and William Frawley; produced by Joseph L. Mankiewicz and directed by Richard Thorpe, from a screen play by Hugo Butler: Very Good-Good.

"Fast and Loose," with Robert Montgomery and Rosalind Russell; produced by Frederick Stephani and directed

by Edwin L. Marin, from a screen play by Harry Kurnitz: Good-Fair.

Twenty-four pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 3; Excellent-Good, 2; Excellent-Fair, 1; Very Good-Good, 4; Very Good-Fair, 1; Good, 1; Good-Fair, 8; Good-Poor, 3; Fair-Poor, 1.

The first twenty-four pictures in the 1937-38 season were rated as follows:

Excellent-Good, 1; Very Good-Good, 8; Good, 6; Good-Fair, 8; Fair, 1.

Paramount

"Arrest Bulldog Drummond," with John Howard, Heather Angel, and Reginald Denny; produced by Stuart Walker and directed by James Hogan, from a screen play by Stuart Palmer: Fair-Poor.

"Say It in French," with Olympe Bradna, Ray Milland, and Mary Carlisle; produced and directed by Andrew L. Stone, from a screen play by Frederick Jackson: Good-Poor.

"Little Orphan Annie," with Ann Gillis, Robert Kent, and June Travis; produced by John Speaks and directed by Ben Holmes, from a screen play by Budd Wilson Schulberg and Samuel Ornitz: Fair-Poor.

"Ride a Crooked Mile," with Akim Tamiroff, Frances Farmer, and Leif Erikson; produced by Jeff Lazarus and directed by Alfred E. Green, from a screen play by Ferdinand Reyher and John C. Moffitt: Fair.

"The Frontiersman," with William Boyd and George Hayes; produced by Harry Sherman and directed by Lesley Selander, from a screen play by Norman Houston: Good-Fair.

"Tom Sawyer, Detective," with Billy Cook and Donald O'Connor; directed by Louis King, from a screen play by Lewis Foster, Robert Yost, and Stuart Anthony: Good-Poor.

"Artists and Models Abroad," with Jack Benny and Joan Bennett; produced by Arthur Hornblow, Jr., and directed by Mitchell Leisen, from a screen play by Howard Lindsay, Russell Crouse, and Ken Englund: Good-Fair.

"Disbarred," with Gail Patrick, Otto Kruger, and Robert Preston; directed by Robert Florey, from a screen play by Lillie Hayward and Robert R. Presnell: Fair-Poor.

"Zaza," with Claudette Colbert and Herbert Marshall; produced by Albert Lewis and directed by George Cukor, from a screen play by Zoe Akins: Fair-Poor.

"Ambush," with Gladys Swarthout, Lloyd Nolan, and Ernest Truex; produced by William Wright and directed by Kurt Neumann, from a screen play by Laura and S. J. Perelman: Fair-Poor.

"Paris Honeymoon," with Bing Crosby, Akim Tamiroff, Shirley Ross, and Franciska Gaal; produced by Harlan Thompson and directed by Frank Tuttle, from a screen play by Frank Butler and Don Hartman: Good-Fair.

"St. Louis Blues," with Dorothy Lamour and Lloyd Nolan; produced by Jeff Lazarus and directed by Raoul Walsh, from a screen play by John C. Moffitt and Malcolm S. Boylan: Very Good-Fair.

"Persons in Hiding," with J. Carrol Naish, Lynne Overman, and Patricia Morison; produced by Edward T. Lowe and directed by Louis King, from a screen play by William R. Lipman and Horace McCoy: Good-Poor.

"Boy Trouble," with Charlie Ruggles and Mary Boland; directed by George Archainbaud, from a screen play by Laura and S. J. Perelman: Good-Poor.

"One Third of a Nation," with Sylvia Sidney and Leif Erikson; produced by Harold Orlob and directed by Dudley Murphy, from a screen play by Oliver H. P. Garrett: Fair-Poor.

"Sunset Trail," with William Boyd and George Hayes; produced by Harry Sherman and directed by Lesley Selander, from a screen play by Norman Houston: Good.

"Cafe Society," with Fred MacMurray, Madeleine Carroll, and Shirley Ross; produced by Jeff Lazarus and directed by W. H. Griffith, from a screen play by Virginia VanUpp: Very Good-Fair.

"The Beachcomber," with Charles Laughton; produced and directed by Erich Pommer, from a screen play by Bartlett Cormack: Very Good-Fair.

Thirty-one pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Very Good-Good, 3; Very Good-Fair, 4; Good, 1; Good-Fair, 8; Good-Poor, 5; Fair, 2; Fair-Poor, 8.

The first thirty-one pictures of the 1937-38 season were rated as follows:

Excellent-Very Good, 1; Excellent-Good, 1; Very Good, 1; Very Good-Good, 1; Very Good-Fair, 1; Good, 3; Good-Fair, 5; Good-Poor, 1; Fair, 9; Fair-Poor, 5; Poor, 3.

HARRISON'S REPORTS

Vol. XXI

NEW YORK, N. Y., APRIL 15, 1939

No. 15

The Accuracy of the 1938-39 Season's Forecasts

Of the 145 stories that were forecast in the beginning of the season, sixty have been produced up to the time of going to press.

The average accuracy of the Forecaster this season has been 96%.

The following table indicates the number of pictures forecast out of each company's work, and the percentage of accuracy:

	Number of Pictures	Number of Points	Percentage of Accuracy
Columbia	2	180	90%
MGM	9	870	96%
Monogram ...	2	200	100%
Paramount ...	10	980	98%
Republic	0	0	0
RKO	10	940	94%
20th C.-Fox ..	5	460	92%
United Artists	8	760	95%
Universal	4	380	95%
Warner-F. N. .	10	1000	100%
Total	60	5770	96%

Columbia

"Let Us Live," forecast under the title, "Is This the Law?": The forecast said: "This should make a very good gangster melodrama, the kind that should hold the spectator's attention throughout . . . should fare very well at the box-office. It will, however, be strictly adult fare." The picture turned out a strong but grim melodrama; and, even though it holds one in suspense, it is not pleasant entertainment, for the story is harrowing. Accuracy 80%.

"You Can't Take It With You": The forecast said: "There is no doubt that Columbia intends to produce this as a 'big' picture. . . . And with such good players . . . there is no reason why this should not turn out very good in quality." It turned out very good. Accuracy 100%.

Average Accuracy 90%.

Metro-Goldwyn-Mayer

"Sweethearts": The forecast said: "This play possesses the necessary elements for a musical picture of a quality anywhere from good to very good, with very good to excellent box office performance because of the leads." It turned out as predicted. Accuracy 100%.

"Marie Antoinette": The forecast said: "The

picture will, no doubt, turn out excellent in quality. As to its box office performance, it will depend on how popular is yet Miss Shearer. . . ." The picture turned out excellent in quality, and did from very good to good at the box-office. Accuracy 100%.

"Idiot's Delight": The forecast said: "... The story material, however, is not so 'hot' for picture purposes. . . . MGM will undoubtedly alter the material radically . . . there is no doubt that the picture will turn out anywhere from very good to excellent in quality." Accuracy 100%.

"The Shining Hour": The forecast said: "The material, from the point of view of action, is not bad, for there is something doing at all times; its drawback lies in the fact that it is not pleasurable. Alterations in plot as well as in characterizations must be made. . . . Without such alterations the picture may turn out only a fair entertainment." The picture turned out a strong drama, but not pleasurable entertainment because of the conflict between two brothers and the wife of one. Accuracy 100%.

"The Great Waltz": The forecast said: "MGM intends, no doubt, to make a big picture out of this material. . . . The picture should turn out from a very good to excellent operetta." It turned out as predicted. Accuracy 100%.

"Stand Up and Fight": The forecast said: "This should turn out a very good action picture, with particular appeal to action fans." It turned out just as predicted. Accuracy 100%.

"Dramatic School": The forecast said: "This story offers an opportunity for a picture with considerable human appeal. . . . With capable players this should turn out from good to very good, with similar box-office results, or better, if popular actors are given the leads." Although the picture was given a good production with capable performances by well-known players, it turned out limited in appeal, for it lacked comedy and human appeal. Accuracy 70%.

"The Citadel": The forecast said: "This is a powerful drama . . . should turn out from very good to excellent, with similar box-office results." It turned out exactly as predicted. Accuracy 100%.

"Too Hot to Handle": The forecast said: "The material offers chances for a thrilling melodrama . . . should turn out a very good picture." It turned out a very good melodrama with plentiful thrills. Accuracy 100%.

Average Accuracy 96%.

Monogram

"Under the Big Top," forecast under the title "Circus Lady": The forecast said: "Pictures with circus backgrounds have become too familiar to picture-goers to prove exciting. . . . This should turn out a fair picture." It turned out just a fair entertainment. Accuracy 100%.

"Mr. Wong, Detective": The forecast said: "This should make a fast-moving melodrama and, where Boris Karloff is still popular, it should do good business." It turned out a good program murder-mystery melodrama. Accuracy 100%.

"Star Reporter": This picture is not counted in, because the story was changed altogether.

Average Accuracy 100%.

Paramount

"If I Were King": The forecast said: "The picture will, no doubt, turn out either excellent or very good in quality. But . . . each exhibitor, in determining its box-office value, must take into consideration the reception costume plays are given by his patrons." The picture turned out very good. Accuracy 100%.

"King of Alcatraz": The forecast said: "This should turn out a good melodrama; its box-office value will depend on the popularity of the players." It turned out as predicted. Accuracy 100%.

"Ride a Crooked Mile," forecast under the title, "Escape From Yesterday": The forecast said: "This should make a good picture; but, with the cast mentioned, it is doubtful if it will do more than fair to fairly good at the box-office." It turned out just as predicted. Accuracy 100%.

"Men With Wings": The forecast said: "This should make a good melodrama. This offers material for a good melodrama, with the thrills coming from the flying scenes. Milland and Miss Campbell both win one's sympathy, but MacMurray, not so much, because of the fact that he leaves his family. . . ." It turned out exactly as predicted. Accuracy 100%.

"Touchdown, Army": The forecast said: "This is a typical routine football story, no better or worse than the general run of pictures of this type. It should make a fairly good program college football picture." It turned out just another college football picture. Accuracy 100%.

"Sing, You Sinners": The forecast said: "A delightful story, with a chance for comedy, romance, and music. This should turn out very good, with similar box-office results." The picture turned out just as predicted. Accuracy 100%.

"St. Louis Blues": The forecast said: "A great deal will depend on the music and entertainers, for the story itself is simple. . . . Paramount has a chance to make this a good picture. Exhibitors will have to judge its box-office value by what popularity Raft and Miss Lamour have in their individual locality." George Raft did not

appear in the picture. It turned out a fairly good entertainment. Accuracy 100%.

"Arkansas Traveler": The forecast said: "It should give Bob Burns a chance to spurt some of his homespun philosophical remarks, which usually set audiences to laughing . . . should make a good picture, with human interest and excitement. Its box-office value will depend on Bob Burns' popularity in each locality." It turned out just as predicted. Accuracy 100%.

"Artists and Models Abroad": The forecast said: "This should turn out very good to excellent, with similar box-office results." It turned out just a good comedy with music. Accuracy 80%.

"Campus Confessions": The forecast said: "A typical college athletic story. . . . A fair program picture; it may have better than average box-office possibilities if the basketball angle is exploited." It turned out a typical college program picture, with the only novelty being that basketball was employed instead of football as the college sport. Accuracy 100%.

Average Accuracy 98%.

RKO

"Twelve Crowded Hours," forecast under the title, "What's Your Number?": The forecast said: "This should make a good program gangster melodrama, suitable for adults." It turned out just as predicted. Accuracy 100%.

"Fugitives for a Night": The forecast said: "This should make a fair program melodrama, with fair results at the box-office." It turned out just a fair program picture. Accuracy 100%.

"The Saint Strikes Back": The forecast said: "This should make a good melodrama." It turned out an engrossing program melodrama. Accuracy 100%.

"Pacific Liner": The forecast said: "Pretty exciting material although not very pleasurable . . . should make a pretty good picture, with the results at the box-office depending on Victor McLaglen's popularity." It turned out a pretty depressing melodrama. Accuracy 70%.

"A Man to Remember": The forecast said: "There is considerable human appeal in this story . . . should make a good program human-interest picture." It turned out just as predicted. Accuracy 100%.

"Mr. Dooley Kicks Off": The forecast said: "A typical college football story; it should, however, have more comedy than most because of the part Joe Penner plays . . . should turn out a pretty good program football comedy." It turned out an amusing college program football picture, more entertaining than the average picture of that type because of Mr. Penner's antics. Accuracy 100%.

"Gunga Din": The forecast said: "This should make an exciting adventure melodrama. Considering the players listed, it should do very well at the box-office." Accuracy 100%.

"Sixty Glorious Years": The forecast said: "There is no doubt that the quality of this picture will be excellent. . . . But as to its box-office value, exhibitors may judge by the success they had with 'Victoria the Great.'" The picture turned out excellent in quality, but doubtful as to box-office possibilities. Accuracy 100%.

"The Mad Miss Manton": The forecast said: "A typical murder mystery melodrama for which there is a ready market. . . . This should make a good comedy-melodrama, with similar box-office results." It turned out good. Accuracy 100%.

"Room Service": The forecast said: "... Considering that the Marx Brothers will appear in it, this should turn out very good, with similar box-office results." It turned out only a good comedy, with good-fair box-office results. Accuracy 70%.

Average Accuracy 94%.

Twentieth Century-Fox

"The Little Princess": The forecast said: "The story is up Shirley's 'alley,' and with good direction and a competent supporting cast there is no reason why Twentieth Century-Fox should not make a deeply appealing picture, with very good to excellent box-office results." The picture turned out just as predicted. Accuracy 100%.

"Alexander's Ragtime Band": The forecast said: "There is no doubt that Mr. Zanuck expects to make this both lavish and tuneful. . . . It should turn out from very good to excellent, both in quality and box-office performance." It turned out just as predicted. Accuracy 100%.

"Just Around the Corner," forecast under the title, "Lucky Penny": The forecast said: "There is plentiful human appeal in this story. . . . The story offers material for an appealing picture, with music and comedy. Given careful production, as Shirley's pictures usually are, this should turn out very good entertainment, with equal success at the box-office." It turned out just a good picture. Accuracy 80%.

"My Lucky Star": The forecast said: "The story is simple; but, what is most important, it offers Miss Henie an opportunity to show her skill as a skater once again. . . . If Twentieth Century-Fox should cast a well-known player with Miss Henie, there is no reason why this should not turn out very good." It turned out just a fair picture, with good box-office results. Accuracy 80%.

"Suez": The forecast said: "There is no doubt that, with such a story to work with, Mr. Zanuck will give this an extremely lavish production. . . . The story is powerful in itself; aided by a lavish production and popular stars, there is no reason why it should not turn out very good, with similar box-office results." It turned out as predicted. Accuracy 100%.

Average Accuracy 92%.

United Artists

"The Young in Heart": The forecast said: "This story is a little different and offers an opportunity for considerable comedy and heart-warming situations. . . . should turn out a very good picture, with similar box-office results." It turned out a delightful comedy with considerable human appeal. Accuracy 100%.

"The Duke of West Point": The forecast said: "This story has been written by the same man who wrote 'Navy Blue and Gold.' In that picture he revealed himself as a man who understood human nature and was capable of writing a story that had human appeal, emotion-stirring situations, and comedy. . . . This should turn out a very good picture." It turned out a very good entertainment. Accuracy 100%.

"Made for Each Other": The forecast said: "... there is opportunity for drama and emotional appeal, . . . the two leading characters win one's sympathy. . . . With two such popular players . . . , the picture should turn out very good, with similar box-office results." The picture turned out a very good drama with deep emotional appeal. Accuracy 100%.

"King of the Turf": The forecast said: "Stories revolving around race tracks do not, as a rule, appeal as much to women as they do to men. Nor is the theme of showing a man's rise to riches by means of gambling particularly edifying. The production will, no doubt, be lavish, and the picture may turn out good. But as to its box-office value, despite Adolphe Menjou's popularity, his name is not strong enough to lure crowds to the box-office." Although several changes were made in the story, it still remained just a fairly good racetrack picture. Accuracy 100%.

"The Cowboy and the Lady": The forecast said: "Nice material, and with good treatment, it should make a picture either very good or good in quality, with similar box-office results." It turned out just a fairly good romantic comedy. Accuracy 80%.

"There Goes My Heart": The forecast said: "This should make an entertaining, heart-warming comedy. And, considering the players named, it should do well at the box-office." It turned out just a fairly good comedy. Accuracy 80%.

"Topper Takes a Trip": The forecast said: "This should be a lavish production. . . . But, since it is along the same order as the first picture, its box-office appeal will be limited to those who enjoy fantastic comedies." It turned out just as predicted. Accuracy 100%.

"Wuthering Heights": The forecast said: "Powerful material but unpleasant, for vengeance runs through the story almost to the very closing scenes. Heathcliff is certainly a highly unpleasant character. . . . will make a very powerful drama, but highly unpleasant entertainment." Although the story was altered in many respects, it turned out just as predicted, for the character of Heathcliff was left unpleasant. Accuracy 100%.

Average Accuracy 95%.

Universal

"Youth Takes a Fling": The forecast said: "Universal has a fine piece of property in this story, which fits exceedingly well Andrea Leeds' ability to express emotion . . . there is no reason why Universal should not make a picture either very good or excellent in quality, with similar box-office results." It turned out an entertaining romantic comedy, but only good in quality. Accuracy 80%.

"One Exciting Night," forecast under the title, "Adam's Evening": The forecast said: "The material lends itself to a rollicking farce. . . . If the story should be given to a producer and to a director who understand farce-comedy work, there is no reason why the picture should not turn out anywhere from good to very good in quality." It turned out a good comedy. Accuracy 100%.

"Freshman Year": The forecast said: "This should turn out a pleasant college comedy with music, doing fairly well at the box-office." It turned out just as predicted. Accuracy 100%.

"That Certain Age," forecast under the title, "First Love": Although the names of the authors of the finished product and of the story forecast are not the same, Harrison's Forecaster is taking credit on this because the basic idea of a young girl's falling in love with an older man is the same. The forecast said: ". . . Jackie's adolescent love for Allan, if handled properly, should touch one's heart. The characters are all fine and generous, even Allan; the fact that he does not suspect that Jackie loved him is in his favor. . . . And, of course, there is plentiful opportunity for music." Considering that this was the main idea of the finished product, it turned out as predicted. Accuracy 100%.

Average Accuracy 95%.

Warner-First National

"The Amazing Dr. Clitterhouse": The forecast said: "As a comedy, 'The Amazing Dr. Clitterhouse' should turn out good to very good in quality, with its box-office performance depending on Mr. Robinson's popularity. It should draw well if produced as a comedy-melodrama." It turned out a good comedy-melodrama. Accuracy 100%.

"Brother Rat": The forecast said: "The play is very good, and Warner Bros. should not have any trouble in making a very good picture out of it, with the box-office results depending on the popularity of the two stars." It turned out just as predicted. Accuracy 100%.

"Heart of the North": The forecast said: "This should make a good outdoor melodrama, with plentiful exciting action. Its box-office performance will depend on George Brent's popu-

larity." It turned out a good outdoor action melodrama. Accuracy 100%.

"Garden of the Moon": The forecast said: "This is another one of those musicals that depends on lavish settings and popular tunes to put it over, for there is not much to the story . . . it should turn out good as a musical. And, considering the players already announced, it has a good chance to do well at the box-office." It turned out an entertaining comedy with music. Accuracy 100%.

"Four Daughters," forecast under the title, "The Sister Act": "The material is powerfully dramatic. . . . Warner Bros. has an excellent piece of property in this one and, handled by a competent director, the picture should turn out either excellent or very good, both in quality and box-office performance." It turned out just as predicted. Accuracy 100%.

"The Valley of the Giants": The forecast said: "The action in this book is virile, and since the giant redwood trees are used as a background, it is impressive. . . . Subject matter with such a background lends itself to the purpose admirably. Consequently the picture should turn out very good." It turned out a very good entertainment. Accuracy 100%.

"Boy Meets Girl": The forecast said: "The outcome of this material will depend a great deal on handling of script. A good script writer can retain the comedy. There is the possibility that it may turn out a very good entertainment." It turned out very good as an entertainment, although not so good in box-office results. Accuracy as to quality 100%.

"The Sisters": The forecast said: "If the sex angle should be cleaned up, and a more inter-related plot evolved out of the story, it should make a good picture. . . . As it now stands, it may turn out either fairly good or good in quality, with good to very good at the box-office." Accuracy 100%.

"Yes, My Darling Daughter": The forecast said: "The story is lightweight, but there is enough action to interest one constantly. Many of the situations offer an opportunity for comedy." It turned out a good comedy. Accuracy 100%.

"You Can't Get Away With Murder," forecast under the title "Chalked Out": The forecast said: "Warner Bros. has a good piece of property in this stage play, and with the experience its studio has had in prison-life dramas there is no reason why the producer who will be assigned to produce this picture will not make a good or very good one with it, faring well to very well at the box-office." It turned out a good prison melodrama, and should do well at the box office. Accuracy 100%.

Average Accuracy 100%.

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The Opposition's Statements at the Neely Bill Hearings

At the time of writing this editorial, the hearings on the Neely Bill conducted by the Sub-Committee of the Senate Committee on Interstate Commerce were continued, but they would no doubt be completed early this week.

The arguments the producers have advanced in opposition to the bill are not much different from the arguments they advanced at other hearings, except that this time the loss of foreign business was injected, by Mr. Kent.

Some of the statements made against the bill, taken from *The Film Daily*, are the following:

"The Bill tears down and destroys; it does not build."

"This Bill would destroy the Motion Picture Code."

"Block-booking is a trade expression; it means wholesale selling and nothing else."

"We must maintain what we have left of our market."

"Pictures cannot be sold one at a time."

"I have heard of few failures of theatres during the depression."

"The Bill is against the interests of the moviegoers. It would throttle an industry that has given every American town . . . the privilege of foreign travel, plus entertainment, at the price of an ice-cream soda."

"For 15 years I have waited in vain, in spite of general charges, to see someone submit a list of constantly talked of independents who have been put out of business by block-booking and blind-selling."

"Since when has the right to buy as you want and what you want become more sacred under the Constitution than the right to choose your own customer?"

"I do believe that the majority of independent exhibitors of this country would rather have the result of these trade conferences as a remedy than the bill which is offered here."

"When these producers are forced to make only sure-shot commercial pictures this business is going backward, not forward."

"As drawn, the measure is not constructive."

"Trade practice program and not legislation would best protect the interests of the public and the exhibitors."

"The proposed law has nothing to do with prohibiting the exhibiting of any films of any character whatsoever . . . in fact, this law does not prevent the showing of entirely immoral pictures."

"The public is also encouraged to buy blindly."

"The Bill . . . hamstring the American system of free enterprise."

"It does not help a theatre owner who may be persuaded to cancel an announced picture because of local objections. He has already made a contract agreement to pay for the film. The Act does not provide any option to cancel the picture after it is licensed."

"It forces the distributor to raise wholesale prices to an artificial level under criminal penalties."

"It takes away the responsibility on the producer, where it rightly belongs, to maintain moral standards in pictures, and seeks to put the entire responsibility on the local exhibitors scattered throughout the country, without offering to the exhibitor an option to cancel pictures as they are booked."

After reading these statements you will wonder whether there has been something wrong with you, for according to them the millenium has been here all along and you have not been aware of it.

It is hardly necessary for me to tell you that some of these statements are highly exaggerated. For instance, the

committee members were told that few exhibitors have gone out of business as a result of the prevailing block-booking system. Of course, to take a census of the number of theatres that have gone out of business as a result of this system requires the expenditure of considerable money. And no exhibitor organization has money to spend for such a purpose.

But it is not fair for them to ask for a list of the theatres that have gone out of business as a result of the block-booking system; what they should have asked for is a list of the theatres that have been sold and resold innumerable times, for once a theatre is built it is hardly ever kept closed: when the owner of it finds it impossible to conduct it profitably he sells it to some other ambitious person. And the next proprietor does the same thing when he, too, finds out that he cannot make it go, and so on. It is this sort of information that would have enlightened the Committee.

And do the producers need some one else to furnish them with such a list?

Of course, they may say that an exhibitor's inability to make his theatre yield a profit is not caused by the block-booking system, but either by over-seating or by natural competition; but if he had the right to choose the best pictures of each producer he would be able to conduct it profitably. No matter in how many theatres a meritorious picture has been shown; there are always people who have not seen it. At any rate he does better with them than with some of the mediocre pictures he is compelled to buy from a producer in order for him to get the few good ones.

And not only is he unable to buy what he wants, but he is confronted with unfair circuit competition; for the circuits, by using their influence as well as their buying power, obtain protection so unreasonable that the pictures become worthless when their competitors get them. Let the market be free, and the independent exhibitor will be able to hold his own, despite competition. And only a law such as Senator Neely proposes can bring this condition about.

One speaker said that he has heard of few failures during the depression. This might be true so far as he is concerned, but all he had to do would be to ask for the information from his producer-employers; they have the records.

So far as the sacredness of the right to sell, no one will contradict the speaker; but the right to sell is sacred only when done free and untrammelled. It is not sacred when it is done under the big buyers' compulsion, as is usually the case now. That is at least what the U. S. Supreme Court said in the Dallas case.

This speaker said also that the independent exhibitors would have the trade practices conferences as a remedy rather than legislation. But trade practices conferences were held in the past. May this paper mention the conferences held under the auspices of the Government in 1928? But what happened? Nothing! The producers forgot all their promises.

And how about the 5-5-5 conferences? Was their fate any better? No! Even when the NKA Code was in the process of negotiations the producers tried to frame it so as to get all the benefit. From that time on, the exhibitors have been clamoring for trade reforms to no avail.

Some of the statements are, of course, wild. That the business will, for example, go to pieces when the Neely Bill is enacted into a law, is of such a nature. Didn't they put up the same kind of wails when a demand was made on them to cleanse the screen? But when the Legion of Decency was formed and threatened to boycott the theatres, and they were actually forced to eliminate "filth" from pictures, they earned greater profits than they had ever dreamed of earning. The same thing will happen if the

(Continued on last page)

"Long Shot" with Gordon Jones, Marsha Hunt and Harry Davenport

(Grand National, January 6; time, 68 min.)

A modestly produced but fairly entertaining program melodrama, with a racetrack background. In spite of the fact that the story is pretty far-fetched, it manages to hold one's attention fairly well, because of one's interest in the leading characters. The stock shots of many races have been used intelligently, blending in with the story in a natural way. Although it is obvious that the hero's horse will win in the final race, one cannot help being somewhat excited when it does happen:—

Harry Davenport, dejected when he loses his fortune and even his home after bad luck with his horses at the race track, is saddened even more when his niece (Marsha Hunt) announces her engagement to C. Henry Gordon, a wealthy racer. Davenport knows that she did not love Gordon and was sacrificing herself for his sake. He turns his last and favorite horse loose in the Arizona wilds, so that the Sheriff could not get it. Then, with the help of a lawyer friend, he leads every one to believe he had died. In his will he bequeaths the horse to Miss Hunt and to Gordon Jones, a young racer whom he trusted and liked, hoping that Miss Hunt would then break her engagement. Jones, not knowing anything about the will, buys the horse from a dealer, who had rounded it up with other horses. Miss Hunt recognizes the horse as soon as she sees it, but she does not say anything to Jones, for she wanted him to have complete ownership of it. Gordon, knowing about the will, leads Jones to believe that Miss Hunt owned the horse and was playing Jones for a fool. Nevertheless Jones goes through with his plans to race it at Santa Anita. The horse wins. To everyone's joy, Davenport returns, explaining the reasons for his hoax. Miss Hunt, having found out how crooked Gordon was, is not conscience-stricken when she breaks her engagement to him in order to marry Jones, whom she loved.

Harry Beresford and George Callaghan wrote the story, and Ewart Adamson, the screen play; Charles Lamont directed it, and Franklyn Warner produced it. In the cast are George Meeker, George E. Stone, Dorothy Fay, Tom Kennedy, Frank Darien, and others.

Suitability, Class A.

"Zenobia" with Oliver Hardy, Harry Langdon, Billie Burke and Alice Brady

(United Artists-Roach, April 21; time, 73 min.)

That a producer of Mr. Hal Roach's experience should have produced a piece of junk such as this is indeed discouraging. Oliver Hardy, an excellent short-subject comedian, is bad enough when he is put in a feature, but when he is coupled with an elephant, that is unbearable. If Mr. Abram F. Myers (Allied Association) had this picture in Washington to show it to the Subcommittee of the Senate Committee on Interstate Commerce, holding the hearings on the Neely Bill, he would have needed no other arguments to persuade its members to report the bill favorably. It is supposed to be a comedy, but I doubt whether any one else but Mr. Roach will find it such.

"The time," says the press sheet, "is 1870; the place Carterville, Mississippi," and Oliver Hardy, a doctor, the hero. His daughter (Jean Parker) is loved by the young hero (James Ellison), but the young man's snobbish mother does not want to see him marry the daughter of a "common doctor," more so after he had cured an elephant, and the animal had become greatly attached to him and had been following him, bulk and all, like a pet dog. Some scheming is done by the young hero's mother, by which she persuades the owner of the elephant to sue the doctor for alienation of the affections of his elephant, resulting in a trial in which the doctor is acquitted after making an impassioned plea to the jury from outside the court room, where he had to be, because the elephant would not stay out of the court room as long as he was in it. His plea had another effect; it effected a change of heart in the young hero's mother (Alice Brady).

Walter de Leon and Arnold Belgard wrote the story, and Gordon Douglas directed it. In the cast are June Lang, Stepin Fetchit, Hattie McDaniels, Phillip Hurlic, The Hall Johnson Choir and others.

Morally, there is nothing wrong with it—it may be put in the "A" class, but it is doubtful if it will amuse even children.

EDITOR'S NOTE: A similar picture was produced by MGM in 1926—"The Great Love." Marshall Neilan, I believe, produced it; and it "flopped" terribly.

"You Can't Get Away with Murder" with Humphrey Bogart, Gale Page and Billy Halop

(First National, May 20; time, 78 min.)

This melodrama, which unfolds mostly in a prison, is good program entertainment, but strictly adult fare. It may prove too harrowing for general audiences, because of the torture a young boy goes through in fighting against the influence of a vicious gangster; and the action is demoralizing for children. As entertainment, its appeal should be directed mostly to men; women may find it too depressing, for not only does it stress the suffering of the young boy, but also brings in the suffering of his sister and of her fiancé. It has moments of tense excitement, such as the situation towards the end, when a few prisoners try a prison break. One feels sympathy for the young boy, who meets with death in the end. The romance is pleasant:—

Gale Page, who worked hard to support her young brother (Billy Halop), is worried because of his friendship with a petty crook (Humphrey Bogart). She is cheered by her fiancé (Harvey Stephens), a private policeman, who tells her of his promotion to the position of manager of the Boston office, where they would move and take Halop with them. In the meantime, Halop joins Bogart in holding up a gas station. Later, Halop steals Stephens' gun, in order to take it with him on a job with Bogart, but Bogart takes the gun away from him. During the robbery, he kills a man and leaves Stephens' gun there. He then hides the loot in Stephens' room. Halop is both terrified and disgusted; when he asks Bogart for Stephens' gun, he is shocked to hear what Bogart had done. Both Halop and Bogart are arrested for holding up the gasoline station, and are sent to Sing Sing. Stephens is arrested for the murder, tried, and given the death penalty. Bogart, by means of threats, prevents Halop from talking. Unable to stand the strain, Halop pleads with Bogart to do something. Bogart arranges to take him along on a prison break, his intention being to kill him once they would get over the wall. But things go wrong and the prison break is stopped. Bogart shoots Halop. Before he dies, Halop confesses, thereby winning Stephens' freedom.

The plot was adapted from the play, "Chalked Out," by Warden Lewis E. Lawes and Jonathan Finn. Robert Buckner, Don Ryan, and Kenneth Gamet wrote the screen play; Lewis Seiler directed it, and Sam Bischoff produced it. In the cast are John Litel, Henry Travers, Harold Huber, Joseph Sawyer, and others.

Unsuitable for children and adolescents. Class B.

"Dodge City" with Errol Flynn and Olivia deHavilland

(Warner Bros., April 8; time, 103 min.)

A very good Western, photographed in technicolor. Produced with lavishness, and acted with skill by a large and capable cast, it offers entertainment that should go over exceedingly well with the masses. The action, consisting of thrilling fights, plentiful shooting, and good horseback riding, is fast and exciting. In spite of the fact that the plot is not novel, it manages to be consistently entertaining, for the story offers good comedy situations, directs deep human appeal, and has a charming romance:—

Errol Flynn and his two pals (Alan Hale and Guinn Williams), having finished the work of rounding up cattle for railroad workers, plan to move on, looking for more excitement. Flynn incurs the enmity of Bruce Cabot, a villainous Dodge City character, when he places information in the hands of federal authorities as to Cabot's theft of skins belonging to Indians. Some time later Flynn returns to Dodge City as the leader of a caravan of settlers. He is unhappy because of an incident that had caused the death of William Lundigan, one of the travelers. Lundigan's grieving sister (Olivia deHavilland), blaming Flynn for everything, refuses to talk to him. When Flynn arrives in Dodge City, he finds the place a hotbed of crime, for the town was run by Cabot and his henchmen. The decent folk, admiring Flynn's courage, beg him to become Sheriff; he refuses at first, but later he changes his mind, and begins the work of cleaning things up. Miss deHavilland, who had changed her opinion about Flynn, becomes his staunch supporter. Law and order finally come to Dodge City, but not without plentiful bloodshed. Cabot and his men are killed in a battle with Flynn. Flynn is happy when Miss deHavilland, who had promised to marry him, consents to move further westward.

Robert Buckner wrote the original screen play; Michael Curtiz directed it, and Robert Lord produced it. In the cast are Ann Sheridan, Frank McHugh, John Litel, Henry Travers, Victor Jory, and others.

Suitability, Class A.

"Dark Victory" with Bette Davis, George Brent and Geraldine Fitzgerald

(First National, April 22; time, 105 min.)

A powerful drama; the acting is superb and the production values excellent. The story is, however, not cheerful; as a matter of fact, it is somewhat depressing. Nevertheless, it is so gripping that it holds one tensely interested, even though one knows almost from the beginning that it will end with the death of the heroine. Several situations stir one's emotions so deeply, that one cannot hold back the tears. Two situations are outstanding: the one, where the heroine apologizes to the hero for having insulted him when she had learned that the brain operation he had performed on her was useless; and the other, where the heroine and her closest friend break down, realizing that the end was near:—

Bette Davis, a wilful, extremely wealthy, society girl, who lived recklessly, suffers from dizziness and headaches. Her secretary and best friend (Geraldine Fitzgerald) pleads with her to see a doctor. Because of the insistence of Miss Fitzgerald and of the family doctor, she finally submits to an examination by George Brent, a famous surgeon. Brent, realizing that she had a brain tumor, orders an immediate operation. At first, she refuses, but later submits. The operation is successful; but the tests later show that her's was a malignant case and that she would die within a year. Brent takes Miss Fitzgerald into his confidence, but enjoins her to keep the news from Miss Davis. In the meantime, Miss Davis and Brent fall madly in love with each other and decide to marry. While at his office she comes upon the file containing the medical record of her case and, being curious, starts to read it. She is shocked at the news, and at the same time enraged because she had not been told the truth. She insults Brent, breaks her engagement, and goes off on a wild orgy of drinking. This keeps up for a few weeks. Unable to bear the strain, she eventually breaks down and goes to Brent for solace. They marry, and move to Vermont, where Miss Davis could spend the rest of her days peacefully and happily. Miss Fitzgerald visits them; no one talks about the illness. On the day that Brent was called to New York, Miss Davis realizes that the end was near, for she was going blind. Without telling him anything, she insists that he go alone; Miss Fitzgerald, knowing the truth, is unable to hide her grief. Miss Davis pleads with her to leave the house, so that she might die alone. She dies peacefully. Brent, Miss Fitzgerald, and another good friend (Ronald Reagan) drink to her when a horse in which she had had great confidence wins an important race.

The plot was adapted from the play by George Emerson Brewer, Jr., and Bertram Bloch; Casey Robinson wrote the screen play, Edmund Goulding directed it, and David Lewis produced it. In the cast are Humphrey Bogart, Henry Travers, Cora Witherspoon, Dorothy Peterson, and others.

Suitability, Class A.

"Broadway Serenade" with Jeanette MacDonald and Lew Ayres

(MGM, April 7; time, 112 min.)

This musical comedy will probably go over with the masses because of the lavish production and of Miss MacDonald's popularity; it is obvious that MGM spared no expense in making it the glittering spectacle that it is. But for all its lavishness, it is boring, because of the triteness of the plot, which is developed according to formula. Another thing against the picture is its length; it should have been shortened by at least thirty minutes. The performances are satisfactory; Miss MacDonald sings and acts well, and she is given good support by a competent cast. Regardless of their efforts, however, the picture fails to make the impression that is expected of so expensive a production:—

Miss MacDonald is offered by Frank Morgan a part in his new musical show. Morgan had made the offer at the suggestion of Ian Hunter, his wealthy backer, who had been attracted to Miss MacDonald. At first she refuses the offer, because it meant separation from her husband (Lew Ayres), a fine musician, with whom she had been appearing in public. But on Ayres' insistence, she takes the part, leaving for an out-of-town tour prior to the Broadway presentation. She is so good that, by the time the show reaches New York, she is made the star. But stardom does not bring her happiness; instead, malicious gossip, linking her name with that of Hunter's, is the cause for the breakup of her marriage. Ayres takes to drink. After two years, Miss MacDonald divorces him and plans to marry Hunter, who was deeply in love with her. In the meantime Ayres,

through the inspiration of an old musician-friend (Al Shean), composes the score for a new show. As soon as it is bought, he rushes to Miss MacDonald for a reconciliation; but she turns him down. Morgan, who had bought the score, works upon Miss MacDonald's sympathies by stating that, unless she appeared in the show, he would not produce it. And so, in order to protect Ayres, she agrees to star in it. On the opening night, she and Ayres are reconciled, after Hunter had gracefully stepped aside.

Lew Lipton, John T. Foote, and Hans Kraly wrote the story, and Charles Lederer, the screen play; Robert Z. Leonard directed and produced it. In the cast are Wally Vermin, Rita Johnson, Virginia Grey, William Gargan, and others.

Suitability, Class A.

"Housemaster" with Otto Kruger

(Associated British Pict.; time, 84 min.)

This British-made comedy, which unfolds at a boys' school, is a mild sentimental entertainment, with little appeal for the average American picture-goer. Technically it has several faults: the sound and photography are quite poor in spots, and the editing is so choppy that the spectator is at times bewildered as to what is happening. High class audiences may find it to their liking, for it is different from American films as to background and story:—

Otto Kruger, housemaster at an English boys' school, is annoyed at the severe methods employed by the new headmaster (Kynaston Reeves) in disciplining the boys. To add to his troubles, he is compelled to take into his home three young girls, for he had promised their mother, before her death, that he would care for them when necessary. When to the other rules the headmaster adds a request that no pupil attend the town fair, the pupils of Kruger's house decide to rebel; they go to the fair without permission. This causes a scandal, for Reeves was inclined to believe that Kruger had egged on the boys to do so. Kruger, despite an excellent record of thirty years' standing, tenders his resignation, which Reeves accepts. On the day that Kruger had prepared to leave, he receives a visit from Cecil Parker, an old friend and a power in politics, who informs him that he had accomplished the difficult task of having Reeves transferred to another school, thus leaving the way clear for Kruger to become headmaster. Kruger is overjoyed. And his responsibility to the young girls is taken from his shoulders when their father remarries and requests the girls to live with him.

The plot was adapted from the play by Ian Hay. Dudley Leslie wrote the screen play, and Herbert Brenon directed it. In the cast are Diana Churchill, Phillips Holmes, Joyce Barbour, Rene Ray, and others.

Suitability, Class A.

"Women in the Wind" with Kay Francis and William Gargan

(Warner Bros., April 15; time, 65 min.)

Moderately entertaining program farc. The plot is ordinary; as a matter of fact, the only attraction that the picture offers is the flying; its appeal will, therefore, be limited to those who enjoy aviation stories. There is some excitement in the closing scenes, when the heroine competes in a cross-country race. The romance is of the formula type:—

Kay Francis decides to compete in an aviation race for women, for she needed the \$15,000 prize money to cure her brother, an aviator, who had been paralyzed as a result of an accident. She becomes acquainted with William Gargan, famous round-the-world flyer, and induces him to allow her to fly his plane. Just when things seemed to be going smooth, Miss Francis is shocked to learn that Gargan had a wife (Sheila Bromley); he had obtained a Mexican divorce but Miss Bromley, by claiming that the divorce was void, insisted that it would be she who would fly Gargan's plane. Gargan, unknown to Miss Francis, arranges for her to fly the plane of a young flyer, who had bettered his round-the-world record. Miss Bromley, hoping to win, enters with a mechanic into a scheme to tamper with Miss Francis' plane. This causes her trouble and, to add to her woes, she loses one of her landing wheels. When Miss Bromley sees this, she sacrifices her own chances of winning by warning Miss Francis of her danger. Miss Francis wins. She and Gargan are overjoyed when Miss Bromley shows them a telegram she had received informing her that Gargan's divorce was legal.

The plot was adapted from a novel by Francis Walton; Lee Katz and Albert DeMond wrote the screen play; John Farrow directed it, and Bryan Foy produced it. In the cast are Victor Jory, Maxie Rosenbloom, Eddie Foy, Jr., Eve Arden, and others.

Suitability, Class A.

Neely Bill should become a law; they will be compelled to install business methods in producing pictures, ceasing to remunerate incompetence and encouraging those who can make meritorious pictures.

One of the arguments that have been made before the committee by these witnesses is the fact that the Bill does not make the showing of immoral films impossible. The showing of several such pictures, not contracted for in blocks, was put forward as a substantiation. I doubt whether any Allied leaders have said that it would; but they have said that it will make the exhibitor responsible to the people of his community for the type of pictures he would show. If he would, for example, choose to show the crime pictures produced now-a-days, which have in some instances been almost half of the total output of some companies—if he should continue doing so and should receive no protests from the people of his community, he could not be blamed, for the lack of protests would indicate that they like this type of pictures, or they tolerate them; but if he should receive strong protests, he would, regardless of how much money he might make in showing such pictures, be compelled to cease booking them. If he should not, his investment might be put in jeopardy. And no exhibitor likes to lose the good will of the people of his community. Without a law such as Senator Neely seeks to have enacted, he is helpless.

One of the speakers made statements that should prove helpful to the proponents of the Bill; he said that the Bill will not make it possible for an exhibitor to cancel an undesirable picture, by virtue of the fact that he would have a contract for it. If the exhibitor will be unable to cancel a picture under the anti-block-booking law because of the contract, he certainly has less right to do so now and as long as the present system should prevail. The good of the business then demands that, if the right to cancel a picture after a contract is made is to be denied to the exhibitor under any system, it is better that such a denial be made under the Neely Bill, for in such circumstances he and he alone will be responsible to the people of his community for knowingly entering into a contract for a picture that would, to his knowledge, displease the people of his community.

Another of this speaker's statement was to the effect that the responsibility for the maintaining of moral standards is taken away from the producer, "to whom it really belongs," and placed upon the exhibitor. Such a statement is, of course, wilder than any of the others. Since when have the Hollywood producers thought more of the moral standards of pictures than of their pocketbooks? There have been individual exceptions, of course, but the query applies to the great majority. The Hollywood producers have thought of moral standards only from the time the churches threatened boycott of the picture theatres.

Some of the questions that the independent exhibitor must bear in mind in the matter of the code of trade reforms, the final draft of which has already been submitted to the exhibitors, are these: (1) Can he live under a system that makes it possible for the wholesalers to be in competition with their customers? (2) Can he conduct his theatre more profitably when he has to buy every picture a distributor makes in order that he may obtain the ones he really wants?

If he should satisfy himself that he can, the next question that he has to answer is this: Will the producers retain these reforms even if a more stand-patter administration were to replace the present administration in Washington?

If your answers should all be in the negative, then communicate with your Senator, urging him to give the Neely Bill his whole-hearted support.

BOX-OFFICE PERFORMANCES OF 1938-39 SEASON'S PICTURES—No. 3

RKO 1937-38

"Fisherman's Wharf," with Bobby Breen, Leo Carrillo, and Henry Armetta; produced by Sol Lesser and directed by Bernard Vorhaus, from a screen play by Bernard Schubert, Ian Hunter, and Herbert C. Lewis: Good-Poor.

Forty-six pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Good, 2; Very Good-Good, 2; Good-Fair, 9; Good-Poor, 8; Fair, 8; Fair-Poor, 15; Poor, 2.

Forty-six pictures were released in the 1936-37 season. They were rated as follows:

Excellent-Fair, 1; Very Good-Good, 2; Good, 4; Good-Fair, 11; Fair, 12; Fair-Poor, 12; Poor, 4.

1938-39

"The Law West of Tombstone," with Harry Carey and Tim Holt; produced by Cliff Reid and directed by Glenn Tryon, from a screen play by John Twist and Clarence W. Young: Good-Poor.

"Peck's Bad Boy with the Circus," with Tommy Kelly, Ann Gillis, and Edgar Kennedy; produced by Sol Lesser and directed by Edward F. Cline, from a screen play by Al Martin, David Boehm, and Robert Neville: Fair-Poor.

"Next Time I Marry," with Lucille Ball and James Ellison; produced by Cliff Reid and directed by Garson Kanin, from a screen play by Dudley Nichols and John Twist: Good-Poor.

"Pacific Liner," with Victor McLaglen, Chester Morris, and Wendy Barrie; produced by Robert Sisk and directed by Lew Landers, from a screen play by John Twist: Fair.

"Great Man Votes," with John Barrymore, Virginia Weidler, and Peter Holden; produced by Cliff Reid and directed by Garson Kanin, from a screen play by John Twist: Good-Fair.

"Arizona Legion," with George O'Brien and Laraine Johnson; produced by Bert Gilroy and directed by David Howard, from a screen play by Oliver Drake: Good-Fair.

"Boy Slaves," with Anne Shirley, Alan Baxter, Roger Daniel, and James McCallion; produced and directed by P. J. Wolfson, from a screen play by Albert Bein and Ben Orkow: Fair-Poor.

"Gunga Din," with Douglas Fairbanks, Jr., Cary Grant, Victor McLaglen, and Joan Fontaine; produced and directed by George Stevens, from a screen play by Joel Sayre and Fred Guil: Excellent.

"Beauty For the Asking," with Lucille Ball, Patrick Knowles, and Frieda Inescort; produced by B. P. Fineman and directed by Glenn Tryon, from a screen play by Doris Anderson and Paul Jarrico: Good-Poor.

Eighteen pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 1; Good-Fair, 7; Good-Poor, 3; Fair, 3; Fair-Poor, 4.

The first eighteen pictures in the 1937-38 season were rated as follows:

Excellent-Good, 1; Good-Fair, 4; Fair, 5; Fair-Poor, 6; Poor, 2.

United Artists

"Cowboy and the Lady," with Gary Cooper and Merle Oberon; produced by Samuel Goldwyn and directed by H. C. Potter, from a screen play by S. N. Behrman and Sonya Levien: Excellent-Good.

"Trade Winds," with Fredric March, Joan Bennett, and Ralph Bellamy; produced by Walter Wanger and directed by Tay Garnett, from a screen play by Dorothy Parker, Alan Campbell, and Frank R. Adams: Good.

"Duke of West Point," with Louis Hayward, Richard Carlson, Tom Brown, and Joan Fontaine; produced by Edward Small and directed by Alfred E. Green, from a screen play by George Bruce: Good.

"Topper Takes A Trip," with Constance Bennett and Roland Young; produced by Milton H. Bren and directed by Norman Z. McLeod, from a screen play by Eddie Moran, Jack Jevne, and Corey Ford: Good.

"Made For Each Other," with Carole Lombard and James Stewart; produced by David O. Selznick and directed by John Cromwell, from a screen play by Jo Swerling: Very Good.

"King of the Turf," with Adolphe Menjou and Roger Daniel; produced by Edward Small and directed by Alfred E. Green, from a screen play by George Bruce: Good.

"Stagecoach," with Claire Trevor, John Wayne, and Thomas Mitchell; produced by Walter Wanger and directed by John Ford, from a screen play by Dudley Nichols: Very Good-Good.

Eleven pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Good, 1; Very Good, 1; Very Good-Good, 2; Very Good-Fair, 1; Good, 4; Good-Fair, 2.

The first eleven pictures in the 1937-38 season were rated as follows:

Excellent-Very Good, 3; Excellent-Good, 1; Good, 2; Good-Poor, 1; Fair, 2; Fair-Poor, 1; Poor, 1.

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No. 17

UNITED ARTISTS POINTS THE WAY!

In the issues of January 16, 1937, and of May 21, 1938, I informed you that, if you wanted to buy from United Artists pictures produced only by Mr. David Selznick, you could do so. In other words, you were not under any obligation to buy pictures made by any other producer releasing his pictures through United Artists. My authority for such a statement was, as I informed you in the May 21, 1938 issue, Mr. David Selznick himself.

I am now in a position to give you some more important information regarding the policy of United Artists for the 1939-40 season:

(1) Heretofore, contracts of this company contained a provision making it obligatory on the part of an exhibitor to play the entire program of United Artists pictures contracted for in the order of their release. In other words, if a Selznick, or a Wanger, or a Small, production, or the picture of any other producer, was available for your use, the exchange would not deliver it in case you had failed to "lift" a picture of another producer with an earlier release date. In the 1939-40 season, it will no longer be so: you will be able to play the picture of one producer even though it should be released later than the pictures of some other producers, which you had not yet played.

For instance, if you should buy the entire United Artists program, and if a Wanger picture should be released on October 1, and a Small picture on October 15, and a Selznick picture on November 1, you would have the right to play the Selznick picture before you had played the other two.

As for a group or series of pictures made by the same producer, you would have to play them in the order of their release, but, as I have been informed reliably, in case of an emergency, you might get permission from the producer to play out of their regular order even those pictures. In other words, if you should find it necessary to play a later-release Selznick picture before you had played a prior-release Selznick, you will, no doubt, be able to get permission from the Selznick representatives to do so, provided you can show that there is a real necessity for it. The same holds true with respect to the pictures of any other producer releasing through United Artists.

(2) Heretofore, United Artists considered a breach of one contract by the exhibitor as a breach of all contracts by him. Clause 15th of the contract gave the distributor the right to attach to a shipment a C.O.D. of all monies owed by the exhibitor. During the 1939-40 season, a breach of one producer's contract will not be considered a breach of the contracts of the other producers. In other words, if a shipment of a Selznick, or a Wanger, or a Korda, picture were to be made to you, the distributor could not attach to the C.O.D. any monies that might be claimed to be due from you, as a result of a controversy, to any other producer releasing through United Artists.

(3) You will be able to buy only one picture, if you should so desire, without having to buy any other. This will hold true even with pictures of the same producer.

(4) As you all know, most exhibition contracts are signed during the months of June, July and August, and cover pictures released generally during the period starting in August of that year and ending in September of the following year. As a matter of fact, the United Artists contract for the 1938-39 season provides that it covers pictures released generally up to September 15, 1939. If you had signed a United Artists contract on, let us say, August 1,

1938, you would have the right to play only those pictures released generally during the period of thirteen and a half months ending September 15, 1939.

The United Artists contract for the 1939-40 season will be valid for twenty months from the day it is signed. In other words, if you should sign a United Artists 1939-40 season's contract on, for example, August 1, 1939, United Artists will be under an obligation to deliver to you all the pictures released within twenty months; that is, up to April 1, 1941. This indicates that United Artists and the producers releasing pictures through it are willing to assure you that no producer releasing his pictures through that company will ever hold a picture back, just because it turned out to be good, so as to sell it to you the following season for more money.

Since these selling-practice reforms of United Artists are, not the result of protracted conferences with exhibitor representatives, but voluntary, it is manifest that those who make its pictures are in effect telling the exhibitors of the United States, and of the world, for that matter, this: "Gentlemen: We have confidence in the pictures we are going to produce. You may buy one, or you may buy all—just as you wish. We leave that matter to you, because we know that our pictures will be so good and the prices will be so fair that you will want to buy them all."

What makes this step significant is the fact that this company owns no theatres. Consequently, it cannot depend on such a medium to help it recoup the production cost. That cost, as well as any profit, must come solely from the sale of the pictures to exhibitors.

Since receiving this startling information, I have pondered the following question: If United Artists, with no theatres to use as a powerful leverage, can institute a policy of selling its pictures on merit, why cannot the other producer-distributors?

It isn't altogether the desire of the other big producers to maintain the monopoly they are now enjoying, for with the principle of selling pictures on merit, there will be a greater profit not only for the exhibitor but also for the producers themselves, for once the exhibitor is able to choose from the different producers only the pictures that will bring him a profit, he will naturally be willing to pay more for them. And no producer-distributor will be the loser in any respect, for the play-dates are the same, no matter whether the pictures are sold under the system United Artists has established or under the present system.

I have been told that, what holds the producers back is lack of capital. Under the prevailing system they can "hook" the contracts with the banks and raise money with which to produce the pictures. Without such a privilege they think that they are lost.

But it is hardly so: Metro-Goldwyn-Mayer, for example, has a cash reserve that could enable it to produce its entire season's output without having to borrow a penny. Would Twentieth Century-Fox have any trouble in raising the money that it would need? Some of the other big companies, too, could get by. That leaves the smaller companies.

But even these companies could get along, for they would not be compelled to produce their entire season's output before starting to sell; they could produce one-half dozen at a time, and they would have no trouble selling them as fast as they make them.

But to establish the system that United Artists has established requires confidence in the ability of a picture com-

(Continued on last page)

**"Man of Conquest" with Richard Dix,
Edward Ellis, Joan Fontaine
and Gail Patrick**

(*Republic, May 15; time, 98 min.*)

With "Man of Conquest" Republic makes an auspicious entry in the field of historical dramas. Produced with care, and directed and acted with great skill, it offers entertainment that can be compared favorably with that of any major-company output. It is interesting from the very beginning, for it deals with the development of the personal life of Sam Houston; but it becomes very exciting in the second half. Particularly effective are the battle scenes in which Houston leads his men to charge against the Mexicans, inspiring them on to bravery by crying "Remember the Alamo!", for it was there that the Mexicans under Santa Ana had slaughtered innocent men, women, and children. The story revolves around historical events in American history that should interest all types of audiences.

Sam Houston (Richard Dix), who had been living with the Cherokee Indians for a year, arrives home in time to hear that the British had burned Washington, and that Andrew Jackson (Edward Ellis), was calling for volunteers. Houston's bravery on the battlefield comes to Jackson's attention, and they become good friends. Jackson, as President of the United States, campaigns for Houston's reelection as Governor of Tennessee. Houston marries Eliza Allen (Joan Fontaine), a delicate girl who had been reared in an atmosphere of refinement. After the marriage, he takes her with him on his campaign tour to rough settlements. Horrified at the vulgarity of Houston and his friends, Eliza leaves him; she later obtains a divorce. Houston gives up everything to become a member of the Cherokee tribe. Enraged at the way the Indians were being tricked out of their land, Houston goes to Washington to see Jackson. Jackson offers to help the Indians if Houston would leave them and give his talents to the government; he accepts Houston meets and falls in love with Margaret Lee (Gail Patrick); but he refused to commit himself because he felt he had important work to do—to free Texas from incompetent Mexican rule. Austin (Ralph Morgan), the Texas leader, at first led by Santa Ana (C. Henry Gordon), makes Austin realize that Houston was right. After fierce fighting, the Mexicans are routed, and Texas is declared a free republic. Houston marries Margaret. Eventually he brings Texas into the union; Jackson, on his deathbed, is overjoyed at the news.

Harold Shumate and Wells Root wrote the story, and Wells Root, E. E. Paramore, Jr. and Jan Fortune, the screen play; George Nicholls, Jr. directed it, and Sol C. Siegel produced it. In the cast are Victor Jory, Robert Barrat, George Hayes, Robert Armstrong and Janet Beecher. Suitability, Class A.

**"Sorority House" with Anne Shirley
and James Ellison**

(*RKO, May 12; time, 64 min.*)

A delightful picture. Although the background is a college, the story does not include jazzing, drinking and love-affair escapades; it deals with a straight love affair, in which a college boy is in true love with a college girl, eventually resulting in marriage. This affair is interwoven with the hopes and the aspirations of first-year college girls to join a sorority. Miss Shirley certainly is developing, not only into a fine, but also a charming, actress. In the scenes where she, having felt remorse because she had not invited her lowly father into the sorority house where a reception for the parents of students was held, rushes to him, and falling on his neck she cries, begging his forgiveness, the spectators will be unable to suppress their emotions; they will feel that Anne just did what a real girl should have done, and forgive her for her thoughtlessness. Barbara Read wins one's sympathy by her fortitude when she finds herself uninvited to a sorority. Adele Pearce, too, does good work as the student who should "die" if she should not be invited; the breaking of her heart does, indeed, arouse the spectator's commiseration. J. M. Kerrigan is natural as the father of Anne Shirley, and wins one's sympathy.

The picture, although of program grade, is "class"; no exhibitor should be ashamed to exploit it intensively so as to draw patrons into his theatre, for the photography and the settings are a treat to the eye.

The picture has been founded on the story "Chi House," by Mary Coyle Chase. Dalton Trumbo wrote the screen play, John Farrow directed it, and Robert F. Sisk produced it, under the general supervision of Lee Marcus.

Good on any day of the week, for anybody; but young folk should enjoy it particularly well. Suitability, Class A.

**"For Love or Money" with June Lang,
Robert Kent, Ed Brophy and
Etienne Girardot**

(*Universal, April 28; time, 66½ min.*)

Pretty good. Although the story is fantastic, it has at least been produced as a "class" picture. Because of the good direction and acting, one's interest is held to the end. The surprise feature is the revelation that Etienne Girardot, who had been calling himself Julius Caesar, is not an insane person, but really a multi-millionaire. There are some thrills, caused by the fact that the hero's life is endangered. And the love affair is fairly charming:—

Robert Kent, an impoverished young man, who had formerly been wealthy, and Ed Brophy, his bodyguard, worked for Richard Lane, a gambler. Lane had been placing horse-race bets over the telephone with a Mr. Poindexter (Etienne Girardot), who always won. The last bet being for \$50,000, Lane, on Kent's advice, "hedges"; he places an equal amount with Addison Richards, another gambler. When the race is over, Lane sends Kent to collect the money from Richards. Richards gives it to him but instructs two gunmen to hold him up as he was leaving the building. Kent, sensing the trick, hands the money to Brophy, who runs into an office where advertising by mail was done for a face powder. He asks for an envelope to mail the money to Lane but, through a mix-up, he mails the wrong envelope. When Lane receives an envelope containing face powder instead of the money, he gives Kent 24 hours to produce the money. Kent locates the girl (June Lang) who had received the money, but finds that she had spent most of it. In desperation, Kent invites Miss Lang, Brophy, and two of Lane's men who had been trailing him, to a fashionable restaurant for a last supper; by being unable to pay, he hoped to be arrested. But Lane is there to pay the bill. Kent is taken for a ride. When Miss Lang discovers that "Julius Caesar," who had been betting with them in the restaurant on silly notions, was Girardot (Poindexter), the millionaire, she rushes with him to rescue Kent by having Girardot pay Lane the \$50,000 he owed Kent as a result of a silly wager. After Kent's release, Girardot takes back his check from Lane to even up the \$50,000 Lane owed him on the last horse race. Miss Lang and Kent, who by this time had fallen in love with each other, decide to marry.

Julian Blaustein, Daniel Taradash and Bernard Feins wrote the story, and Charles Grayson and Arthur Horman, the screen play; Al Rogell directed it. In the cast are Edward Gargan, Horace MacMahon, Cora Witherspoon, and others.

Because of the gangster twist, suitability. Class B.

**"The Kid From Texas" with Dennis O'Keefe
and Florence Rice**

(*MGM, April 28; time, 70 min.*)

Fair program entertainment, with pretty good production values. It combines comedy with romance, and, for excitement, offers a few polo matches that are worked into the plot in a logical manner. At the beginning, the hero is a somewhat annoying character, for he is given to bragging and silliness; but as the story develops he becomes more likeable, finally winning the spectator's sympathy. The romance is routine, culminating in marriage after many misunderstandings:—

Dennis O'Keefe, a cowboy, longs to play polo. When his favorite horse is sold, he follows the buyer (Anthony Allan) to Long Island, inducing him to engage him as an assistant. O'Keefe falls in love with Allan's sister (Florence Rice), but she considers him a nuisance. When he is finally given his chance to play polo with Allan's team, he messes things up, making a fool of himself. He decides to leave, to join a rodeo in which his ranch friends were appearing. By introducing polo as the feature attraction, he puts the rodeo on a paying basis, much to the relief of the owner (Virginia Dale), who falls in love with him. A match is arranged between O'Keefe's and Allan's teams, with O'Keefe's team coming out victorious. But he is downcast, for he had promised Miss Dale that, if he won the game, he would marry her. Miss Rice, realizing that she loved O'Keefe, is unhappy when she hears of his marriage plans. But Miss Dale, a good sport, releases O'Keefe, who is joyfully united with Miss Rice.

Milton Merlin and Byron Morgan wrote the story, and Florence Ryerson, Edgar Allan Woolf and Albert Mannheimer, the screen play; S. Sylvan Simon directed it, and Edgar Selwyn produced it. In the cast are Jessie Ralph, Buddy Ebsen, Robert Wilcox, Jack Carson, and others.

Suitability, Class A.

"The Hardys Ride High" with Mickey Rooney and Lewis Stone

(MGM, May 5; time, 80 min.)

A very good addition to the "Hardy Family" series. It should go over very well, for it has plentiful comedy, and human appeal. The production is a little more lavish than usual, since the family is taken out of their customary surroundings and placed in a luxurious city home. Most of the laughter is provoked by Mickey Rooney's actions; particularly comical are his attempts to act like a man of the world once he gets to the city. One is held in suspense, not knowing until the end whether the family would inherit a \$2,000,000 fortune or not:—

When Stone learns that he had fallen heir to a \$2,000,000 estate, provided he could prove his right to it, he is naturally overjoyed. He and his family leave for the city to meet the lawyer. The lawyer insists that they live in the luxurious home that would eventually be theirs. John King, the adopted son of the man who had died, is disappointed that he had not inherited the fortune; but he pretends to be completely satisfied. His purpose was to try to find a loophole by which he could get the estate away from them. Mickey, feeling that he was now a millionaire playboy, is happy when King suggests taking him to a nightclub where he could meet chorus girls. King's chorus-girl friend (Virginia Grey) plays up to Mickey, inviting him to her apartment. He goes there, but becomes so frightened, that he runs away. Stone and his family go back home in order to go through their old papers so as to establish their right to the money; but the only evidence Stone could find showed that his grandfather was not really born into the wealthy family but had been adopted into it; therefore, he could not claim the estate. Although he could still obtain the estate by burning the evidence, no one in the family wants the money that way. And so they give up their dreams, and settle down to their old way of living.

Agnes C. Johnston, Kay Van Riper and William Ludwig wrote the screen play, and George B. Seitz directed it. In the cast are Fay Holden, Cecilia Parker, Ann Rutherford, Sara Haden, Minor Watson, and others.

Suitability, Class A.

"East Side of Heaven" with Bing Crosby, Joan Blondell and Mischa Auer

(Universal, April 7; time, 86 min.)

A delightful comedy, with human appeal. The plot is simple, but consistently amusing, because of good gags and comical dialogue. As an added attraction, for women in particular, there is "Sandy," the infant member of the cast, whose charm will bring forth "ohs" and "ahs" from delighted audiences. Crosby plays the part of the nonchalant jack-of-all-trades with ease, since it fits his talents to perfection. He sings a few good numbers, which, instead of interrupting the action, blend in well with the story. Mischa Auer is as comical as ever, provoking hearty laughter with each appearance. And Joan Blondell teams up well romantically with Crosby:—

Crosby, who worked for a telegraph company, singing greetings over the telephone, loses his job when, upon singing a birthday message personally to C. Aubrey Smith, a well-known millionaire, he ends up by berating him for not treating decently his daughter-in-law (Irene Hervey). Miss Hervey's husband (Robert Kent) had left her in order to lead a carefree life, drinking most of the time; and Aubrey wanted her to leave his home, but without her baby. Being out of a job, Crosby is again compelled to postpone his marriage to Miss Blondell, telephone operator at a hotel. He next obtains a position with a taxicab company as a singer to amuse customers while driving them around. One night, Miss Hervey leaves her baby in Crosby's cab, with a note pleading with him to care for the baby until she could find her husband. Auer, Crosby's roommate, is horrified, for he had read that the police believed the baby had been kidnapped. Miss Blondell helps them care for the baby. In the meantime, Jerry Cowan, a radio commentator, accidentally finds out about the baby and steals him from Crosby's room, his intention being to obtain all the credit for himself for having found the baby. But Crosby, with the help of Auer and Miss Blondell, outwits Cowan and gets the baby back. He presents him to his parents, who had returned just as Crosby was going to turn the baby over to Smith. Smith, who was happy that the baby was safe, sponsors a radio program, with Crosby as singer.

David Butler and Herbert Polesie wrote the story, and William Conselman, the screen play; David Butler directed it, and Herbert Polesie produced it. In the cast are Rose Balyda, Helen Warner, Matty Malneck and orchestra, and others. Suitability, Class A.

"Back Door to Heaven" with Wallace Ford, Stuart Erwin, Aline McMahon and Patricia Ellis

(Paramount, April 21; time, 85 min.)

A strong but sombre, distasteful, and considerably demoralizing crook melodrama. And the story does not convey any message. The chief character cannot be called a hero, for he starts his crime career from his early youth. All through the picture, he follows a career of crime, and he is sentenced either to jail or to the penitentiary. What is more distasteful than anything else is the fact that the author glorifies this criminal in the end, for he shows him as having been convicted of murder in the first degree for a crime that was committed, not by himself, but by his two pals; he was caught on the scene of the crime because he had gone there to stop them from committing it. In other words, the picture is a glorification of a criminal.

The most gripping part is in the end, where the criminal, having broken jail after he was sentenced to death, steals a car and drives at break-neck speed to the schoolhouse of his home town, where his class was holding a reunion, with the school teacher, now gray, present. The class had been called together by one of the ex-pupils, now a banker, to get some cheap publicity. After bidding his former schoolmates good-bye, the criminal departs with the intention of going back to jail, but he is shot and (supposedly) killed just as he comes out of the school house by prison guards, who had been pursuing him.

John Bright and Robert Pasker wrote the screen play, from an original story by William K. Howard, who also directed and produced it.

Suitability, Class B.

"The Family Next Door" with Hugh Herbert, Joy Hodges and Eddie Quillan

(Universal, Mar. 31; time, 60 min.)

A mildly amusing family comedy, suitable mostly for neighborhood theatres. A few situations provoke laughter, but for the most part the comedy is forced, becoming tiresome at times. With the exception of the youngest child (Juanita Quigley), the members of the family are none too appealing. But this is not the fault of the actors, since the performances are adequate enough; it is just that they are placed in silly situations:—

Ruth Donnelly, married to Hugh Herbert, a plumber, is constantly nagging him about his inability to provide a more luxurious home for his four children (Joy Hodges, Eddie Quillan, Bennie Bartlett, and Juanita Quigley). She is concerned mostly about Miss Hodges, fearing that she would not be able to win a husband for herself. When Quillan suggests that his mother turn over to him her life savings of \$5,000, she is at first reluctant, but later succumbs. From the way Quillan described the real estate proposition he had in mind, Miss Donnelly felt certain that they would make a great deal of money. Not until after he purchases the property does he find out that he could not build on it since the land was all quicksand. Every one in the family is despondent. But their sorrow is changed to joy when a young scientist (James Bush) finds that the sand on the property would be valuable for glass-making. Not only are their financial difficulties settled, but Miss Hodges finds a suitor in the person of the scientist.

Mortimer Offner wrote the original screen play; Joseph Santley directed it, and Max Golden produced it. In the cast are Thomas Beck, Cecil Cunningham, Frances Robinson, and others.

Suitability, Class A.

"The Return of the Cisco Kid" with Warner Baxter, Robert Barrat, and Lynn Bari

(20th Century-Fox, April 28; time, 71 min.)

Those who follow western melodramas should enjoy this one, because the action is fast and the chief character performs heroics. The only bad feature about it is the fact that the hero is a bandit, and is shown holding up a stage-coach. It is toward the end where he is, in a way, regenerated, for he becomes the means by which the heroine and her grandfather receive back property that had been stolen from them by the villain. But in order to do that, he had to do more holding up—he holds up the villain's bank and steals \$100,000, which he pays to the villain for the deed to the property. Such doings are not very edifying to children, who are the most faithful followers of westerns.

The plot has been taken from a story by O. Henry; it was put into screen-play form by Milton Sperling. Herbert Leeds directed it, and Kenneth Macgowan produced it. In the cast are, Cesar Romero, Henry Hull, C. Henry Gordon, and Kane Richmond. Suitability, Class B.

pany to deliver the quality pictures it asserts in the beginning of each season that it is going to deliver. And it seems as if, with the exception of United Artists, no other company has such confidence.

It is the duty of every exhibitor to give United Artists his support. If the United Artists system should prove a "howling" success, there is no question that the others will adopt it without much coaxing.

BOX-OFFICE PERFORMANCES OF 1938-39 SEASON'S PICTURES—No. 4

Twentieth Century-Fox

"Submarine Patrol," with Richard Greene, Preston Foster, and Nancy Kelly; produced by Gene Markey and directed by John Ford, from a screen play by Rian James, Darrell Ware, and Jack Yellen: Good-Fair.

"Road Demon," with Henry Armetta and Henry Arthur; produced by Jerry Hoffman and directed by Otto Brower, from a screen play by Robert Ellis and Helen Logan: Fair-Poor.

"Up the River," with Preston Foster, Arthur Treacher, Phyllis Brooks, and Tony Martin; produced by Sol M. Wurtzel and directed by Alfred Werker, from a screen play by Lou Breslow and John Patrick: Good-Poor.

"Down on the Farm," with Jed Prouty, Spring Byington and Louise Fazenda; produced by John Stone and directed by Malcolm St. Claire, from a screen play by Robert Ellis and Helen Logan: Good-Poor.

"Thanks for Everything," with Jack Haley, Adolphe Menjou, Jack Oakie and Arleen Whelan; produced by Harry Joe Brown and directed by William A. Seiter, from a screen play by Curtis Kenyon and Art Arthur: Good-Fair.

"Kentucky," with Loretta Young, Richard Greene, and Walter Brennan; produced by Gene Markey and directed by David Butler, from a screen play by John T. Foote and Lamar Trotti: Excellent-Good.

"While New York Sleeps," with Michael Whalen and Jean Rogers; produced by Sol M. Wurtzel and directed by H. Bruce Humberstone, from a screen play by Frances Hyland and Albert Ray: Good-Poor.

"Charlie Chan in Honolulu," with Sidney Toler, Phyllis Brooks, and John King; produced by John Stone and directed by H. Bruce Humberstone, from a screen play by Charles Belden: Good-Poor.

"Mr. Moto's Last Warning," with Peter Lorre, Ricardo Cortez, and Virginia Field; produced by Sol M. Wurtzel and directed by Norman Foster, from a screen play by Philip MacDonald and Norman Foster: Good-Poor.

"Smiling Along," with Gracie Fields and Roger Livsey; produced by Robert T. Kane and directed by Monty Banks, from a screen play by William Conselman: Fair-Poor.

"Jesse James," with Tyrone Power, Henry Fonda, Randolph Scott, and Nancy Kelly; produced by Nunnally Johnson and directed by Henry King, from a screen play by Nunnally Johnson: Excellent.

"Arizona Wildcat," with Jane Withers and Leo Carrillo; produced by John Stone and directed by Herbert I. Leeds, from a screen play by Barry Trivers and Jerry Cady: Good-Fair.

"Tail Spin," with Alice Faye, Constance Bennett, and Nancy Kelly; produced by Harry Joe Brown and directed by Roy Del Ruth, from a screen play by Frank Wead: Good-Fair.

"Three Musketeers," with Don Ameche, The Ritz Brothers, and Binnie Barnes; produced by Raymond Griffith and directed by Allan Dwan, from a screen play by M. M. Musselman, William A. Drake, and Samuel Hellman: Good-Fair.

"Pardon Our Nerve," with Lynn Bari, June Gale, and Michael Whalen; produced by Sol M. Wurtzel and directed by H. Bruce Humberstone, from a screen play by Robert Ellis and Helen Logan: Good-Poor.

"Wife, Husband and Friend," with Warner Baxter, Loretta Young, and Binnie Barnes; produced by Nunnally Johnson and directed by Gregory Ratoff, from a screen play by Nunnally Johnson: Very Good-Poor.

"Inside Story," with Michael Whalen and Jean Rogers, produced by Howard J. Green and directed by Ricardo

Cortez, from a screen play by Jerry Cady: Fair-Poor.

"The Lady Vanishes," with Margaret Lockwood, Michael Redgrave, and Paul Lukas; directed by Alfred Hitchcock, from a screen play by Sidney Gilliat and Frank Launder: Very Good-Poor.

Thirty-four pictures, including "The Lady Vanishes," a Gaumont-British picture, have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 2; Excellent-Good, 1; Very Good-Good, 2; Very Good-Fair, 1; Very Good-Poor, 2; Good-Fair, 12; Good-Poor, 7; Fair, 3; Fair-Poor, 4.

The first thirty-four pictures in the 1937-38 season were rated as follows:

Excellent, 1; Excellent-Very Good, 2; Excellent-Good, 1; Very Good-Good, 4; Very Good-Fair, 2; Good-Fair, 11; Good-Poor, 3; Fair, 7; Fair-Poor, 2; Poor, 1.

Universal

"Mars Attacks the World," with Larry Crabbe and Jean Rogers; directed by Ford Beebe and Robert Hill, from the original story by Alexander Raymond: Good-Poor.

"Little Tough Guys in Society," with Mischa Auer, Mary Boland, and Edward Everett Horton; produced by Max H. Golden and directed by Erle C. Kenton, from a screen play by Edward Eliscu and Mortimer Offner: Very Good-Fair.

"Strange Faces," with Dorothea Kent, Frank Jenks, and Andy Devine; produced by Burt Kelly and directed by Errol Taggart, from a screen play by Charles Grayson: Fair-Poor.

"Secrets of a Nurse," with Edmund Lowe, Helen Mack, and Dick Foran; produced by Burt Kelly and directed by Arthur Lubin, from a screen play by Tom Lennon and Lester Cole: Fair-Poor.

"Ghost Town Riders," with Bob Baker and Hank Warden; produced by Trem Carr and directed by George Waggner, from a screen play by Joseph West: Fair.

"Swing Sister Swing," with Ken Murray, Johnny Downs, and Ernest Truex; produced by Burt Kelly and directed by Joseph Santley, from a screen play by Charles Grayson: Fair-Poor.

"Newsboys' Home," with Jackie Cooper, Wendy Barrie, and Edmund Lowe; produced by Ken Goldsmith and directed by Harold Young, from a screen play by Gordon Kahn: Fair-Poor.

"The Last Warning," with Preston Foster, Frank Jenks, and Frances Robinson; produced by Irving Starr and directed by Al Rogell, from a screen play by Edmund L. Hartmann: Fair-Poor.

"Son of Frankenstein," with Boris Karloff, Basil Rathbone, Bela Lugosi, Lionel Atwill, and Josephine Hutchinson; produced and directed by Rowland V. Lee, from a screen play by Willis Cooper: Good-Fair.

"Gambling Ship," with Robert Wilcox and Helen Mack; produced by Irving Starr and directed by Aubrey Scotto, from a screen play by Alex Gottlieb: Fair-Poor.

"Pirates of the Skies," with Kent Taylor, Rochelle Hudson, and Regis Toomey; produced by Barney Sarecky and directed by Joe McDonough, from a screen play by Ben G. Kohn: Fair-Poor.

"Phantom Stage," with Bob Baker and Marjorie Reynolds; produced by Trem Carr and directed by George Waggner, from a screen play by Joseph West: Poor.

"You Can't Cheat An Honest Man," with W. C. Fields, Edgar Bergen, and Constance Moore; produced by Lester Cowan and directed by George Marshall, from a screen play by George Marion, Jr., Richard Mack, and Everett Freeman: Very Good-Good.

Twenty-eight pictures, including Westerns, have been released. Grouping the pictures of the different ratings from the beginning of the season, exclusive of one Western on which reports have not been obtained, we get the following results:

Very Good-Good, 1; Very Good-Fair, 1; Good-Fair, 4; Good-Poor, 2; Fair, 7; Fair-Poor, 11; Poor, 1.

The first twenty-eight pictures in the 1937-38 season, including Westerns, were rated as follows:

Excellent-Very Good, 1; Excellent-Good, 1; Very Good-Good, 1; Good-Fair, 3; Fair, 10; Fair-Poor, 11; Poor, 1.

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No. 18

THE GRIFFITH CIRCUIT PROSECUTION

Under date of April 28, the Washington office of Allied States Association issued the following statement on the Government's action against the Griffith Circuit, of Oklahoma:

1. *Answers Big Eight Propaganda.* The suit filed by the Department of Justice in the Federal Court in Oklahoma today against the four corporations comprising the so-called Griffith Circuit and the Big Eight producer-distributors, charging combination in restraint of trade, is second in importance only to the omnibus proceeding against the Big Eight filed in New York last July.

It furnishes an effective answer to the propaganda being fed the exhibitors by the Big Eight and its thinly disguised agents to the effect that theatre divorcement and enactment of the Neely Bill will expose independent exhibitors to the ruthless competition of allegedly independent chains such as Griffith, Schine, Blank, Brandt, etc.

That answer is: Monopolistic practices will not be tolerated by the United States Government whether practiced by the Big Eight, so-called independent chains, cooperative buying combines, or other interests. There are many who should note well this attitude on the part of the Government.

2. *"The Right to Buy."* During the negotiations preceding the Rosenblatt-imposed Code in 1933, Allied States Association advocated, as a logical means of neutralizing chain buying power, that films be sold on the basis of local competition in each competitive situation. This was called "the right to buy." Needless to say, it was assailed by the Big Eight, pooh-poohed by the pseudo-independent exhibitors and ignored by Rosenblatt.

The Department of Justice after extended research and study has concluded that the policy advanced by Allied six years ago is best calculated to destroy monopoly and restore competitive conditions in the motion picture business. Paragraph (4) of the prayer of the complaint asks:

"(4) That the defendant distributors herein, and each and all of their respective officers and directors and each and all of their respective servants, agents and employees, and all persons acting or claiming to act on behalf of said defendants or any of them, be perpetually enjoined and restrained from licensing feature pictures for exhibition on any run at any theatre in any of the Griffith Towns, except upon a local competitive basis whereby all theatres operating in each of said towns will have an equal opportunity to license pictures for that area without regard to whether these theatres or any of them form or constitute a part of a circuit of theatres."

3. *Dissolution Also Asked.* In addition to affording independent exhibitors competing with Griffith "the right to buy," the Government asks that the backbone of the Griffith monopoly be broken by dissolution of the four corporations comprising the Griffith Circuit and the re-arrangement of their properties so as to restore competition. The complaint further asks—

"(5) That the defendant exhibitors and each of them be dissolved and that their respective properties be arranged under several separate and independent corporations in such a manner as to terminate effectively the aforesaid monopolistic control in the licensing and exhibition of motion pictures and prevent further violations of the Sherman Anti-Trust Act, and that said exhibitor defendants, their officers, directors, agents and representatives be required to make such divestiture and conveyances of their stockholdings and properties as shall be necessary in order to accomplish such dissolution.

"(6) That the Court appoint such receivers and trustees as may be necessary and appropriate to effectuate a disso-

lution of the said exhibitor defendants and each of them and of the aforesaid monopoly in the licensing and exhibition of motion pictures."

4. *Continuing Supervision.* To insure that the combination, once broken, is not re-established, the Government asks that the court retain jurisdiction to pass on future acquisitions of theatres by the Griffith Circuit.

"(7) That the defendant exhibitors and each of them be enjoined and restrained from acquiring any additional theatres or financial interests therein, except where they shall establish to the satisfaction of this Court that such acquisitions will not unreasonably restrain competition or create or tend to create a monopoly in the licensing of feature pictures for first-run or second-run exhibition or in the operation of first-run or second-run theatres in any of the towns in which they operate theatres."

5. *Exclusive Privileges.* The complaint, while much shorter, contains many allegations reminiscent of those included in the New York suit. The Big Eight apparently accord the so-called independent chains the same privileges and advantages over smaller independent rivals that they give the affiliated theatres over such rivals. (Query: Are the independent chains able to command these special favors because of their massed buying power or have the Big Eight built them up by special privileges with the idea of eventually taking them over?)

Among the exclusive privileges enjoyed by the Griffith Circuit, according to the complaint, were the

"(a) . . . selecting from the feature pictures released . . . such feature pictures as said exhibitors (Griffith) deemed suitable for exhibition in said towns, as and when prints thereof became available, before said pictures were released to any other exhibitors in said towns.

"(b) . . . receiving clearance on said feature pictures over competing theatres in said towns."

The Government charges that the foregoing exclusive privileges have enabled the Griffith Circuit to unreasonably restrain, suppress and entirely eliminate the competition offered by the theatre operators in said towns in the licensing and exhibition of theatres by—

(a) Preventing them from obtaining enough firstclass pictures for exhibition on any run to operate their theatres successfully.

(b) Forcing them to maintain admission prices higher than those warranted by the quality of the entertainment they were able to offer; that is, feature pictures previously exhibited or rejected by the defendant exhibitors.

(c) Preventing them from showing any feature pictures released by the defendant distributors with first-run clearance in any of said towns.

(d) Preventing them from exhibiting any feature pictures released by the defendant distributors with second-run clearance in any of said towns where any of the defendant exhibitors operate one or more second-run theatres."

6. *More Suits to Come?* Recently the Department of Justice intimated that it was contemplating ten more anti-trust cases dealing with motion pictures. This would mean there are nine cases yet to come. At least that many will be necessary to reach all local monopolies and abuses of power not included in the main proceeding now pending in New York.

Many observers are convinced that the job will not be completed until there has been a thorough airing of the manifold activities of the Hays Association. Chief points of interest are efforts of that association to control public and exhibitor opinion by widespread propaganda, and its lobbying activities. Astonishment has been expressed at the testimony of Carl Milliken at the Neely Bill hearings

(Continued on last page)

"Union Pacific"*(Paramount, May 5; running time, 135 min.)*

An outstanding epic of the development of the great west. It is so well produced that, despite its length, it holds one's interest undiminished to the very end. What makes this picture different, and better, from other pictures of this kind that have been produced in the past is the fact that the action is logical, particularly in the critical situations. One of such situations is where the hero is shown clashing with a bully: the hero had learned that a bully had intimidated the workers into stopping work. He reaches the place and finds him breaking up the wheelbarrows and the shovels, and brandishing an ax, threatening to wield it on any worker who would even touch a shovel, let alone do any work. The hero approaches him in a mild manner; he then takes a shovel, and digs a bit of ground with it. When the bully was about to bring the ax down on him, he throws the dirt in the bully's eyes, incapacitating him. From that point on, he had the bully on the "run." That naturally breaks the spell he had on the workers. This situation should cause the spectators to roar with laughter, in approval with what the hero had done.

Another thrilling episode is that which shows the Sioux Indians chopping down the posts that held the water tank, and wrecking the train, killing every one of the occupants except McCrea, Stanwyck and Preston. The attack of the Indians on the train is realistic in the extreme.

The picture is just full of such tense episodes.

The story deals with the efforts of those who believed in the development of the west and who felt that this could be accomplished by building the Union Pacific Railroad, for only thus could the west and the east be brought together. But a money man (Henry Kolker), seeing an opportunity to profit by their failure, engages a ruffian (Brian Donlevy) to put obstacles in the way of their progress. Donlevy follows the end of the line with gambling paraphernalia, liquor and girls, until the promoters of the railroad engage the hero (Joel McCrea) to drive them out, and thus make it possible for them to complete the railroad on time to get the right for the extension to San Francisco. After efforts that put his life and the lives of his pals (Akim Tamiroff and Lynn Overman) in danger, McCrea succeeds in driving out the villain, bringing about the railroad's completion. He also wins a wife Barbara Stanwyck, who was the postmistress of the railroad at the end of the track, moving her postoffice as the track moved ahead.

Cecil B. DeMille produced and directed it, from an adaptation by Jack Cunningham, of a story by Ernest Haycox. The screen play was written by Walter DeLeon, C. Gardner Sullivan and Jesse Lasky, Jr.

Class A.

"Romance of the Redwoods" with Charles Bickford, Jean Parker, Gordon Oliver and Pat O'Malley*(Columbia, March 24; time, 67 min.)*

Fair lumber mill melodrama, with a forest fire as the outstanding feature. The theme is that of two men loving one woman, but it is not very exciting or novel. There is a little human interest, and the love affair between the heroine and the one of the two heroes she loves is fairly interesting. The tempo is fairly fast.

Charles Bickford, logger in a lumber mill, is secretly in love with Jean Parker, whom he had reared ever since her father had died. Gordon Oliver comes to the camp seeking a job. The boss would not hire him because he doubted whether he would do, but Bickford prevails on him to change his mind. Bickford takes Oliver under his protection. Oliver saves Bickford's life when the clamp holding the log on the saw table became disengaged, and Bickford is grateful. But Bickford's heart breaks when he learns that Oliver loved Jean and was loved by her. The same accident that happened to Bickford happens to Oliver, but Bickford was too far away to take any action to save his life. Bickford is accused of having deliberately murdered Oliver, jealousy being given as the motive. He is tried but is acquitted. All the lumber camp workers, however, believe him to be guilty and shun him. Bickford, unable to bear the isolation, decides to leave. A forest fire breaks out and the lives of the very men who were against him are endangered. He is asked to save them, because only he knew of the forest trails. At first he refuses, but soon he changes his mind and goes to their rescue. After being rescued, the loggers change their minds about Bickford. He and Jean at last find happiness in marriage.

The plot has been founded on the Jack London story. Michael Simmons wrote the screen play, and Charles Vidor directed it. In the cast are Alan Bridge, Ann Shoemaker, Lloyd Hughes and others.

Suitability, Class A.

"The Lady's From Kentucky" with George Raft, Ellen Drew and Hugh Herbert*(Paramount, April 28; time, 76 min.)*

A fair drama. The action centers around the breeding of horses and horse racing, and is, therefore, limited in its appeal. The plot is pretty thin; before the picture is half finished, the spectator, knowing how it will end, loses interest in the outcome. With the exception of two exciting races, the action is slow, dealing for the most part with the breeding of horses and the ethics of racing. The performances are adequate enough, considering the fact that the players were up against trite material. Hugh Herbert and Zasu Pitts supply the lighter mood and do it well. The romance is pleasant:—

George Raft, a bookmaker, who had risen to prosperity only to lose everything in one race, is consoled by his friend (Hugh Herbert), who worked with him. While going through his papers, Raft discovers an assignment giving him half ownership in a race horse that was being raised on a Kentucky farm owned by Ellen Drew. She is shocked when she learns the truth, but tries to make the best of things. Raft's attitude towards racing sickens her, for he was concerned only with what he could make out of it. Against her orders, he races the horse. Although the horse wins, the effort was too much for him, for he was young; for a time it seems that he would die. Raft is sorry for what he had done, but Miss Drew refuses to talk to him. With good care, the horse recovers and is trained further by Miss Drew. On the day of the big race, Miss Drew is informed that she would have to scratch her horse because of Raft's reputation. But Raft delivers to the Racing Commissioner a release of his share to Miss Drew. The horse is allowed to run; despite an injury, he comes through the winner. The injury meant, however, that his racing days were over. Miss Drew, sorry for having mistrusted Raft, begs his forgiveness; they are reconciled, and look forward to marriage.

Rowland Brown wrote the story, and Malcolm S. Boydland, the screen play; Alexander Hall directed it, and Jeff Lazarus produced it. In the cast are Louise Beavers, Lew Payton, Forrester Harvey, Edward J. Pawley, and others.

Suitability, Class A.

"Calling Dr. Kildare" with Lew Ayres, Lionel Barrymore, Laraine Day and Lana Turner*(MGM, April 28; time, 86 min.)*

Very good. It is one of those pictures that should please almost every one who sees it, for there is comedy in almost every foot of the film; there is also human interest, and the spectator is held in pretty tense suspense. The comedy is caused by the talk and acts of Mr. Barrymore; it is the kind that should appeal to class audiences as well as to the masses. The way Mr. Barrymore handles the situation in his desire to save Lew Ayres, the hero, from serious consequences and to help him become a real doctor gives one great pleasure. The only discordant note is the fact that the young doctor is not punished for having violated the ethics of his profession by having failed to report that he had treated a young man with a bullet in his chest. But the other doings are so pleasurable that the spectator will, no doubt, fail to take this infraction into much account:—

As in the previous "Kildare" picture, Mr. Ayres is a young doctor, bent upon learning his profession well, and Mr. Lionel Barrymore, the ingenious diagnostician. Mr. Barrymore, crippled but still "alive," treats young Ayres with, what appeared to be, unjustified harshness. But Ayres never wavers in his belief that Barrymore is a great doctor. Barrymore, to give Ayres a chance to get "down to earth," discharges him as his assistant in the hospital and has him transferred to a field clinic; at the same time, he assigns a trusted nurse (Laraine Day) to report his doings. Ayres is called out on an emergency case but finds that the case was that of a young man with a bullet in his chest. The wounded boy's sister comes to the basement where the patient was kept and convinces Ayres that her brother had not murdered the man the newspapers had written about. Convinced of the young man's innocence, Ayres fails to report the case. This eventually gets him into great trouble, from which only the ingenuity of Barrymore is able to extricate him. In the end, Ayres proves that the young man whom he had treated was innocent, and brings about the murderer's arrest.

Max Brand wrote the story, and Harry Ruskin and Willis Goldbeck, the screen play; Harold S. Bucquet directed it. In the cast are Nat Pendleton, Samuel S. Hinds, Lynne Carver and Emma Dunn.

Suitability, as well as quality, Class A. Tempo, pretty fast.

"Street of Missing Men" with Charles Bickford, Harry Carey, Guinn Williams and Tommy Ryan

(*Republic, April 28; time 65 min.*)

A pretty strong racketeer story, in which it is shown that the chief character, a racketeer, becomes regenerated in the end. There is plentiful action, and no little human interest. The attachment of the racketeer to a little newsboy, whom he takes into his own home and gives proper care, is appealing. Charles Bickford is realistic as the racketeer. Mr. Carey, too, gives a fine performance as the newspaper publisher who is bent upon ridding the city of graft. Tommy Ryan, as the little boy, also is appealing. The one bad feature is the fact that the chief character (Bickford) double-crosses his boss, the newspaper owner, almost up to the close of the story. But it is by no means a cheaply-produced picture:—

Charles Bickford, a racketeer, who had been sent to Alcatraz by Harry Carey, newspaper publisher, comes out bent upon killing Carey. Near the newspaper building, Bickford sees rival gangsters destroying the news stand of little Tommy Ryan and, beating up the gangsters, he rescues Tommy. They become pals. Bickford calls on Carey but finds him surprisingly cool and composed. Feeling that, to kill him at once would not only be insufficient punishment, but would also send him to the electric chair, Bickford invites Carey to a night club for his last meal. There, a rival gangster, who had learned of Bickford's interference in the attack on the news stand, threatens Bickford's life if he should not keep away from Carey. Incensed, Bickford accepts Carey's proposal to take charge of the paper's delivery. He felt that in this manner he could put the paper out of business. He enters into an agreement with the rival gangsters for the destruction of the paper, and plants a time bomb in the press room. But as he was putting off "action," the head of the rival gang sends his henchmen to set fire to the building. In the meantime, Carey informs Bickford that he could have sent him back to jail because of some evidence he had. Realizing that Carey was "straight," Bickford rushes to the newspaper building just as Tommy, who had discovered the gangsters at work, is shot. He saves Tommy's life; then he rescues Carey, who had entered the burning building to get some valuable records. In returning for the bomb, Bickford loses his life.

Eleanor Griffin and William Rankin wrote the story; and Frank Dolan and Leonard Lee, the screen play; Sidney Salkow directed it, and Armand Schaefer produced it. In the cast are Mabel Todd, Nan Bryant, Ralph Graves, Regis Toomey, and others. Suitability, Class B.

"Sweepstakes Winner" with Marie Wilson, Johnnie Davis and Allen Jenkins

(*First Nat'l., April 29; time 59 min.*)

A mildly amusing program comedy, centering around the racetrack. There's not much to the story or to the plot development for recommendation. It may do, however, as the second half of a program where a strong first feature is used. The actions of two of the characters, although treated from a comedy angle, are annoying and even demoralizing, for everything they do is motivated by a desire to make "easy" money at the expense of some one else. Particularly annoying is the fact that they are constantly double-crossing the heroine, a timid soul, who places her trust in them. Newsreel shots of races have been worked into the plot in an effective manner. The romance is just hinted at:—

Allen Jenkins and Charles Foy, two cheap race track followers, lose all their money on bad bets. When Marie Wilson, a small-town girl who had inherited \$1,000, arrives with a letter of introduction to them, and requests them to help her buy a certain horse that had once belonged to her grandfather, they suggest that she first build up her fortune by allowing them to bet her money on races. They lose all the money, compelling Miss Wilson to go to work as a waitress in a cafe owned by Johnny Davis. They work on her sympathies, inducing her to buy a sweepstakes ticket. She wins first prize of \$150,000. Jenkins and Foy are again ready to do her out of her money. They buy for her the horse she wanted, but instead of paying only \$500, as the owner requested, they pay him \$15,000, on the understanding that they would share the profits with him. Miss Wilson trains the horse for racing, and it makes a phenomenal comeback. But Jenkins and Foy trick Miss Wilson again by entering the horse in a claim race, thereby forcing her to spend her last \$10,000 to buy the horse back. On the day of a big race that meant everything to Miss Wilson, Jenkins and Foy again try to double-cross her, because another race horse owner had offered them money to stop Miss Wilson's horse. But Miss Wilson's horse wins, despite

their efforts to stop it. Davis, who had fallen in love with Miss Wilson, and knew what Jenkins and Foy were up to, finally asserts himself and punches them. This brings joy to Miss Wilson, who returned Davis' love.

Albert DeMond and Hugh Cummings wrote the story, and John Kraft and Albert DeMond, the screen play; William McGann directed it, and Bryan Foy produced it. In the cast are Jerry Colonna, Sidney Bracy, and others.

The conniving and double-crossing make it unsuitable for children. Class B.

"Lucky Night" with Myrna Loy and Robert Taylor

(*MGM, May 5; time, 82 min.*)

A fair domestic comedy. The story is light-weight. As a matter of fact, any twenty-five dollar a week stenographer could have written a better story; the wonder is that a fine organization such as MGM is should have approved such a "weakling" for production. As to conveying a moral, one may say that it teaches that winning at gambling is easy, and that all a person has to do is wish for things and they come. There is also considerable drinking:—

Myrna Loy breaks her engagement for the fourth time because she did not particularly care for her fiancé; she then informs her wealthy father (Henry O'Neil), a steel magnate, of her intention to get a job and to be self-supporting. He lets her have her own way. On a park bench she meets Robert Taylor and they soon become well acquainted. Borrowing fifty cents from a policeman they go to a restaurant, but after dinner they discover that they had lost the money. Miss Loy "lifts" a dime tip from the counter and with it wins the jackpot on the slot machine, enabling them to pay the bill. Later they win a car in a raffle. They spend the rest of the night gambling and winning, and they celebrate by getting drunk. The following morning, they awake and learn, from the papers, that they had been married. Taylor decides to make their marriage a success; thereupon, he obtains a job as a paint salesman at \$35 a week, even though he knew nothing about paints. They are happy in a comfortable apartment until Taylor gets a \$10 raise; then the discord comes, for he wanted to celebrate and she objected, for she had become budget-conscious. Feeling defeated, Taylor quits his job and induces her to celebrate with him, for he felt that defeat as well as victory should be celebrated. But they are unable to recapture their former gay spirit, and Miss Loy returns to her father, believing her marriage to be a failure. No sooner does she reach home than she regrets her step and goes in search of her husband. In the meantime, Taylor, taking with him some curtains she had made and a small tree, (he actually carries it along with him and boards a Fifth Avenue bus) goes to see her father, to tell him his woes. Her father agrees that there is, after all, something in his viewpoint. Thereupon the two begin to drink champagne until they become thoroughly "soused." Miss Loy returns from her unsuccessful search to find Taylor in her own bed. Everything is then patched up.

Oliver Claxton wrote the story, and Vincent Lawrence and Grover Jones, the screen play; Norman Taurog directed it, and Lewis D. Lighton produced it. In the cast are Joseph Allen, Douglas Fowley, Bernard Nezzell and others.

Suitability, Class A for adults, Class B for children, as well as for adolescents. Tempo, slow.

"Confessions of a Nazi Spy" with Edward G. Robinson

(*First Nat'l., May 6; running time, 106 min.*)

An excellent production, and had the facts of the Nazi Spy investigation not become known to the American public either through the trial, which took place in the Federal Court, in New York, or through Mr. Turrou's articles, which appeared in many papers throughout the country, there is no doubt as to how it would have performed at the box office. Yet the great publicity given to the picture may offset this drawback. There is realism in the action, as a result of excellent direction and artistic acting: the spectator is made to feel as if he is present at the original happenings.

Warner Bros. deserve great credit for having had the courage to put Mr. Turrou's writings into a picture, and in view of the danger to the lives of those who oppose Nazism, similar credit should go to the players who have impersonated the different spics.

The screen play arrangement was made by Milton Krims and John Wexley, under the technical advice of Mr. Turrou himself. Anatole Litvak directed it. Paul Lukas and Francis Lederer take prominent parts.

Class A.

concerning the elaborate plans for carrying the association's propaganda into the churches, the schools and the homes. It is possible that a movement for a thoroughgoing investigation of the Motion Pictures Producers & Distributors of America will be launched next Fall.

7. *The Need for Vision.* Allied has been hoping that those in ultimate authority in the Big Eight would see the need of voluntarily abandoning the monopolistic practices which are the targets of so many suits by the Government and by injured exhibitors and which are under the fire of so many religious, educational and welfare organizations. Thus far the sales executives have offered merely an agreement among seven of the Big Eight to perpetuate those practices in only slightly modified dangers inherent in this procedure, from two points of view. First, unless the demands of the Government and the public are measurably complied with, assaults from those quarters will continue. Second, an agreement to perpetuate oppressive trade practices may suffer from the same legal infirmity as an agreement to initiate such practices.

8. *Allied Will Decide at Minneapolis.* This bulletin should be regarded merely as a plea for a broader vision and a more defining policy by the Big Eight. It should not be construed as defining the attitude of Allied towards the trade practice proposals thus far submitted. The policy of Allied in that respect will be determined at the forthcoming convention in Minneapolis on June 13, 14 and 15. It is hoped that the exhibitors will then have a more liberal, at least a complete, program to consider.

ABOUT THAT LIST OF THEATRES THAT HAVE CLOSED BECAUSE OF BLOCK BOOKING

Sandwiched between other statements in the April 22 editorial in HARRISON'S REPORTS was one statement that needs greater emphasis; it is about the assertion made before the Senate subcommittee that few theatres closed, even during the depression, as a result of block-booking. In reply, I said the following:

"But it is not fair for them to ask for a list of the theatres that have gone out of business as a result of the block-booking system; what they should have asked for is a list of the theatres that have been sold and resold innumerable times, for once a theatre is built it is hardly ever kept closed: when the owner of it finds it impossible to conduct it profitably he sells it to some other ambitious person. And the next proprietor does the same thing when he, too, finds out that he cannot make it go, and so on. It is this sort of information that would have enlightened the Committee."

A list of this kind should include such theatres as have been sold to circuits, whether affiliated or unaffiliated, or to persons working in distributor exchanges, for such persons, by virtue of their position, are able to withhold from the exhibitors choice films, thus compelling them to sell out. With block-booking eliminated, such persons would be rendered helpless.

Allied States Association should compile such a list at once.

A CHALLENGE

During the hearings on the Neely Bill before the Subcommittee of the Senate Committee on Interstate Commerce, there were made about the Bill many statements, the intent of which was to convince the members of the committee that the independent exhibitors did not approve of this Bill, and that they preferred the adoption of the Trade Practices Code, final draft of which was given out three days before the hearings began.

Allied asserted, of course, that, with the exception of the producers themselves and of their affiliates, in addition to some exhibitor leaders whom they seemed to influence, no independent exhibitor was in favor of these reforms as they now stand.

In a statement issued by Col. H. A. Cole, president of Allied States Association, the producers are challenged to prove to the independent theatre owners that they are correct in their assertions; they are asked to send representatives to the Allied Convention in Minneapolis, at which time they will have an opportunity to express their views. Mr. Cole states that every exhibitor leader, regardless of his affiliations, has been invited to attend the convention and to bring along as many members of his association as he can.

Says Mr. Cole partly: "One entire session will be set aside to discuss, pro and con, the merits or demerits of the proposed Trade Practice Reforms. Members of the Negotiating Committees, both producer and exhibitor, will be

invited to participate in these discussions. Producers will be given an opportunity to enlighten all exhibitors present and the world in general as to why they think the Trade Practice Proposals should be accepted. Others who do not like the Proposals in their present form will be given ample opportunity to argue the matter. After the whole thing has been thoroughly aired by both sides, a vote will be taken by all those present who can qualify as independent theatre owners, and what we mean by independent is one who has no circuit affiliations."

Mr. Cole assures every one in the industry that this vote will not be the result of steamroller tactics, but the free expression of free men. It is in this manner, he feels, that the exhibitors' attitude towards the trade practices code, as now framed, will be ascertained.

HARRISON'S REPORTS believes that Mr. Cole's offer is so fair that it should be accepted by all—that is, if there is a desire of the opponents of the Neely Bill to ascertain exhibitor sentiment, and not merely to argue against it, regardless of its merits.

ABRAM MYERS' BRIEF TO THE SENATE COMMITTEE ON THE NEELY BILL

The brief Mr. Abram F. Myers has submitted about the Neely Bill to the Sub-Committee of the Senate Committee on Interstate Commerce is really a statesman's document. So enlightening, thorough and inclusive is it. It is my belief that, if this document were to be read by the head of every fraternal, religious or civic organization in the United States, you should receive so much support from them that you should have little trouble in seeing the Neely Bill become a law.

Mr. Myers tears down the arguments of the opposition, not by exaggerated statements, such as the opposition has made during the hearings, but by facts, figures and logic. Because of recent figures of salaries printed in the newspapers, he was able to prove to the committee that the producers are not poverty-stricken, needing help. He assured them that the 20% cancellation privilege is no privilege at all, that the ability of the exhibitor to contract for an outstanding attraction for which there is a public demand is not bettered, that the exhibitor obtains no relief from the preferred playing time evil, and discussed other of the producer concessions, proving to the Committee that the passage of the bill is necessary.

The Myers brief will be discussed more extensively in future issues of HARRISON'S REPORTS.

A GRACIOUS ACT ON THE PART OF NEIL AGNEW OF PARAMOUNT

The Paramount sales convention was originally set for June 12, 13 and 14.

Because these dates would, however, conflict with the dates of the Allied convention, which will be held at the Nicollet Hotel, in Minneapolis, on June 13, 14 and 15, Mr. W. A. Steffes requested Mr. Agnew to change his dates, if possible, so as to enable Paramount officials to attend the convention.

A telegram that was received from Mr. Steffes last week announced that Mr. Agnew has complied with his request and has set the dates of the Paramount convention for the 8th, 9th and 10th of the same month.

The act of Mr. Agnew in changing the dates is gracious and members of the Allied organization will, I am sure, be thankful to him. Allied intends to make this convention a gathering of good will and the affair would not be complete without the presence of Mr. Agnew and of other Paramount officials.

A SENSIBLE DECISION BY THE FILM COMPANIES

According to weekly *Variety*, the producers have decided this season to charge to the exhibitors "live and let live" film rentals, "with more give than take by the seller appearing to suggest the trend."

This news is so good that HARRISON'S REPORTS hastens to impart it to you and to congratulate *Variety* for the alertness of its reportorial force in broadcasting this information.

Up to this season, the policy of the producers has been to get more than they charged the previous season. They did not stop to think whether the exhibitor could pay more or not, or whether the saturation point had or had not been reached; the home-office orders were "get more!" You may imagine, then, how good is this news.

HARRISON'S REPORTS feels sure that the exhibitors will take advantage of this new trend to obtain their next season's pictures at prices that will enable them to make a living.

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THE DISTRIBUTORS' SENSIBLE DECISION ON GOING EASY NEXT SEASON PRAISED

In last week's issue I informed you of a news item in *Variety* to the effect that the distributors have decided to go easy on the exhibitors during the 1939-40 season by charging them for film a price that will enable them to make a living. Now comes W. A. Steffes, the Allied leader, and sheds additional light on the subject. He writes to this office as follows:

"Dear Pete:

"I was agreeably surprised in contacting many theatre owners while attending the Variety Club's National Convention in Detroit to learn from them that the film companies have finally awakened and realized that business is 25% to 30% off, and in some spots even more.

"Of course, the big thing and the one that has impressed me most was that, in their realization of this, they are now actually offering film to exhibitors for less than the exhibitor paid for product last year. This, in my opinion, is a very gracious move on the part of the film companies and they should be complimented, for had they come out with their policies as they have heretofore, insisting on more money regardless, I am afraid that there would have been a lot of theatre owners throughout the United States who would have either had to close up or been forced to see their bankers.

"I haven't had an opportunity yet to ascertain from the theatre owners in this territory whether or not the same thing holds true, but I imagine it does, because I talked to theatre owners from practically every state in the Union while in Detroit.

"The coming season does not look any too rosy but if the film companies will continue this live-and-let-live policy it might put a different aspect on business as far as the theatre owner is concerned.

"I am passing this information along so that you may tell the exhibitors through your HARRISON'S REPORTS that the film companies deserve a pat on the back this time. We have been giving them the devil all along and I feel that they are entitled to a praise whenever they do anything that is praise-worthy."

While the general policy of the 1939-40 season seems to have been established at the home offices on the live-and-let-live basis, exhibitors may find here and there a distributor representative who will insist upon doing business in the old way. I am sure that the exhibitor who will find himself in such a situation will be able to overcome the stubbornness of such representative, by telling him that an open theatre brings to the distributors greater profits than a closed theatre.

THE ALLIED NATIONAL CONVENTION IN MINNEAPOLIS WILL BE AN EVENT

Early information indicates that the Allied convention in Minneapolis, which will be held, as every one of you knows, at the Nicollet Hotel, in Minneapolis, Tuesday, Wednesday and Thursday, June 13, 14 and 15, will be the biggest convention, and the most important, that has ever been held in the history of the organized exhibitor.

The number of exhibitors that will attend will, of course, be more numerous than at any other national convention, for Allied has thrown the bars down and has invited exhibitors of all affiliations. There will be exhibitor leaders and members of MPTOA, and of local units that have no affiliation either with Allied or MPTOA.

But the most interesting information is to the effect that there will be present distributor representatives from every film company. Bill Rodgers, of MGM; Neil Agnew, of Paramount; Jack Schlaffer, of United Artists; Bill Scully, of Universal; A. Montague, of Columbia; Eddie Golden, of Monogram; James R. Grainger, of Republic, are a few of those who have already expressed their intention to attend.

There will be, of course, representatives from the other companies, and additional ones from the companies that have already accepted the invitation.

Paramount has invited the trade papers to attend its convention in Hollywood, June 8, 9, and 10, and a delegation of Paramount executives will take the trade press representatives from Hollywood to Minneapolis.

The accessory business, too, will have its representatives. George Dembow, and no doubt Herman Robbins, of National Screen Service, will be there. And so will Ed. Auger, of RCA Photophone.

The names of others will be given as they are received.

The Convention will not be all work; there will be also play, for the men as well as for their wives, daughters, relatives and friends. And no one can surpass Al Steffes in entertaining guests; he knows how to give a party.

If you miss this convention you will miss, not a convention, but an event.

Write or wire to W. A. Steffes, in care of World Theatre Bldg., for reservations. And you had better do so at once, if you don't want to sleep on a cot in the corridor of some hotel.

"Rose of Washington Square" with Alice Faye, Tyrone Power and Al Jolson

(20th Century-Fox, May 5; time, 85 min.)

Very good entertainment. It is a human-interest drama with good musical interludes. With the exception of one number, all the songs are old, made famous in musical shows many years ago by such entertainers as Al Jolson himself and Fanny Brice. They still sound good, because of the way Jolson and Miss Faye sing them. Tyrone Power's fans may be somewhat displeased at the unpleasantness of the part he portrays—that of an unscrupulous small-time gambler, whose misdeeds finally land him in prison. What makes the picture stirring, however, is the nobility displayed by Miss Faye, who sticks by Power, even though she knew his weaknesses. The situation in which she sings from the stage the famous song "My Man," which specifically referred to her own problems, thereby causing Power, who was in the audience, to repent, touches one's heart:—

Jolson, a singing waiter, has hopes of breaking into big time vaudeville with Miss Faye as his partner. Disgusted at the way things were breaking for her, Miss Faye decides to go to the country for a rest. During her absence, Jolson gets his chance at an amateur show where Broadway producers were attending. He makes so good an impression that they sign him to appear as star in a Broadway musical show. In the meantime, Miss Faye had met and fallen in love with Power, a petty gambler and "chiseler." At a party given by Jolson on the opening night of his show, Miss Faye is induced to sing. She impresses Jolson's agent. Power, in need of money because of a debt to another gambler, pretends to be Miss Faye's agent, thereby receiving a \$2,500 advance for her services. Jolson tries to induce Miss Faye to give Power up, but although she knew all about him, she refuses; eventually she marries him. In time she becomes a famous star. Again Power is in trouble: having sold valuable furniture belonging to a friend who was on a vacation, he is threatened with arrest; he is thus compelled to join forces with a gang of bond crooks in order to obtain money. He is caught and arrested; Jolson posts \$50,000 bail for him. But Power, afraid of prison, runs away. He sneaks into the theatre one night, where he hears Miss Faye sing "My Man." His conscience is so touched that he gives himself up. Although he receives a five year sentence, Miss Faye tearfully promises to wait for him.

John Larkin and Jerry Horwin wrote the story, and Nunally Johnson the screen play; he also produced it. Gregory Ratoff directed it. In the cast are William Frawley, Joyce Compton, Hobart Cavanaugh, and others.

Power's actions make it unsuitable for children. Good adult fare. Class B. Tempo is not particularly fast.

"Torchy Runs For Mayor" with Glenda Farrell and Barton MacLane

(Warner Bros., May 13; time, 59 min.)

A fair program comedy-melodrama. It is typical of the other pictures in this series, and should give satisfaction where the previous ones have gone over. The story is far-fetched; but, since the action moves at a fast pace, it keeps one entertained. One is held in suspense during the closing scenes, because of the danger to the heroine, who had become involved with a gang of crooks. There is some comedy, and a few hints at the romance, but most of the footage is given over to the melodramatic situations:—

Glenda Farrell, newspaper reporter, obtains evidence from a notebook she had stolen linking the crookedness in her town with the Mayor (Charles Richman); she had learned that he was controlled by a certain doctor (John Miljan), from whom she had stolen the book. When her editor refuses to print the story, fearing that it would ruin his business, she goes to other editors, but meets with rebuffs. She finally induces an editor (Irving Bacon) of a small newspaper to print the story. Miljan's men go to see Bacon, believing he had the book; not being able to find it, they beat him unconscious. Miljan then injects a poison into Bacon that kills him. Miss Farrell works on the case. As a joke, her fiancé (Barton MacLane), a police inspector, offers Miss Farrell's name for Mayor; to his surprise, she accepts. Miljan kidnaps her, with the intention of killing her. But MacLane saves her and rounds up the gang. Miss Farrell is elected Mayor.

Irving Rubins wrote the story, and Earle Snell the screen play; Ray McCarey directed it, and Bryan Foy produced it. In the cast are Tom Kennedy, Frank Shannon, Joe Cunningham and George Guhl.

Because of the murder, unsuitable for children. Not for Sunday showing. Tempo, fast. Class B.

"Big Town Czar" with Barton MacLane, Tom Brown and Eve Arden

(Universal, April 21; time, 66 min.)

A fair program gangster melodrama. Although the moral of the story is that crime does not pay, parts of it are demoralizing, as a result of the actions of a young man, who chooses a life of crime, despite the pleas of his elders. His acts are so unpleasant that his death at the hands of other gangsters does not touch one. The leading character, too, is a gangster; an effort is made to work up sympathy for him but the effect on the spectator is just the opposite. The only ones with whom the spectator is in sympathy are the parents of the two racketeers. There is a mild romantic interest:—

Barton MacLane, big-time racketeer, is made unhappy when, on a visit to his mother, he is ordered by her to leave. Because of his criminal activities, she refused to have anything to do with him. Her one hope was that her younger son (Tom Brown) would continue going to college and live a decent life. After MacLane visits Brown at the college, Brown decides to leave school to follow in his brother's footsteps. MacLane tries to dissuade him, but Brown insists, and so MacLane takes him under his wing. But Brown cannot be controlled; he even outdoes his brother in criminal activities. Eventually he is killed by the henchmen of a rival racketeer (Jack LaRue), whom he had double-crossed. MacLane, frightened, leaves town. But, through a trick on the part of his former henchman (Frank Jenks), who had led him to believe that Eve Arden, his former sweetheart, had been kidnapped, MacLane returns. In a gun fight with LaRue, MacLane kills him, and is himself shot.

The plot was adapted from a story by Ed Sullivan; Edmund Hartmann wrote the screen play, Arthur Lubin directed it, and Ken Goldsmith produced it. In the cast are Walter Woolf King, Oscar O'Shea, Esther Dale, and others.

Unsuitable for children and adolescents. Class B. Tempo fairly fast.

"Blind Alley" with Chester Morris and Ralph Bellamy

(Columbia, May 11; running time, 70 min.)

A powerful crook melodrama, in which psychoanalysis takes a prominent part. Because of the fact that the lives of decent people are endangered by a band of murderers, one is held in tense suspense. The suspense is heightened by the determination of one of the captives, a professor of psychology, to destroy the murderer by revealing to him the "kink" that had made him a dangerous criminal, for in undertaking such a task he ran the risk of being cold-bloodedly shot. Chester Morris does excellent work as the head of the gangsters. But it is the work of Ralph Bellamy that makes the picture so powerful—the intelligent way by which he goes about it and by his convincing acting; without his artistry it would be just one more gangster picture.

A killer (Chester Morris) and his band escape and, in seeking a hide-out, they take charge of the home of a professor (Ralph Bellamy) until their boat arrived to take them away. By threatening to kill any one who disobeyed them, the head killer makes them all do his bidding. The professor, however, realizing that a man such as this killer was too dangerous to be loose, decides to destroy him: having learned from the killer's moll (Ann Dvorak) that he had been hounded by the same dream (rain, and an umbrella that wouldn't stop the rain, and iron bars that suddenly arose before him, no matter which way he turned), he makes the killer believe that, unless he placed himself in his hands for a cure, he would go insane. Gradually the killer submits. The professor questions the killer, and by the process of deduction and elimination, he brings out the fact that, the rain was blood, the umbrella a table, and his inability to escape, because of the bars, was his guilt of having betrayed to the police his own father—the father had been shot by the police, the wounded man leaned over a table, the blood was dripping, and the killer, then only a boy, was underneath the table, the blood dripping on him. With the superiority complex gone, the killer loses his grip, and when the police surround the place he can no longer pull the trigger of his rifle. He is shot and killed. His men are either killed or captured.

The plot has been founded on the James Warwick stage play. Charles Vidor directed it, and Fred Kohlmar produced it. Joan Perry, Melville Cooper, and others are in the cast.

Unsuitable for either adolescents or children. Not good for Sundays. Tempo, slow, but it is offset by the vice-like grip in which the action holds one. Class B.

"Juarez" with Paul Muni, Bette Davis and Brian Ahearn

(Warner Bros., rel. date not yet set; 127 min.)

A magnificent production but only a mild entertainment. The pace is rather slow and the picture lacks the exciting situations that one expects from a production of this magnitude. Nevertheless, Warner Bros. deserve great credit for having undertaken the picturization of such a story. The interest is held pretty well throughout. Mr. Muni does a fine piece of acting as Jaurez, the Indian patriot, President of Mexico, fighting for the emancipation of his people. Bette Davis, too, does a good piece of acting as Carlota, the Empress. But the opportunity for the finest acting was given to Brian Ahearn, as Maximilian, the unfortunate Emperor of Mexico; Mr. Ahearn wins one's admiration for his convincing portrayal of the part.

The story deals with the intrigue of Napoleon the 3rd, Emperor of France, to destroy Mexico's democracy and make it a vassal state of France. With this end in view, he makes Maximilian Hapsburg, of Austria, Mexico's Emperor. Maximilian had been made to believe that the overwhelming Mexican vote for his election as Emperor was genuine, and not the result of the French bayonets. But Jaurez organizes the Mexicans to fight for their independence. At a crucial moment the United States Government instructs its Ambassador to France to tell Napoleon that, unless he withdrew his army from Mexico, the United States would intervene in behalf of Mexico. Frightened, Napoleon orders his Commander in Mexico to take his army and return to France. Maximilian, thus left alone, is defeated and captured. After a trial, he is put to death. Pleas to President Jaurez to spare his life proved unavailing, for he felt that the future safety of Mexico necessitated the death of Maximilian.

The plot has been founded on the novel, "The Phantom Crown," by Bertita Harding, and on the play "Jaurez," by Franz Werfel. John Huston, Aeneas MacKenzie and Wolfgang Reinhardt wrote the screen play. William Dieterle directed it, and Henry Blanke produced it. Some of the others in the cast are Claude Rains, as Napoleon; John Garfield, as Diaz, the Mexican; Donald Crisp, as the Commander of the French troops in Mexico, and Joseph Calleia, as the faithless subordinate of Jaurez.

Suitable for every member of the family. Class A.

"The Rookie Cop" with Tim Holt, Virginia Weidler, Janet Shaw and Ace (a police dog)

(RKO, April 28; time, 60 min.)

A pleasing little program crook melodrama, with youthful Tim Holt, whom women should like, and Virginia Weidler who, as usual, turns in a fine performance. There is some human interest, considerable excitement, and a fairly interesting romance. Most of the interest is aroused by the intelligence of Ace, the police dog, who is able to trace people by scent.

The story is built around the belief of the hero, a rookie policeman, that his dog, which he had trained, was valuable to the force in tracing criminals by scent. But the police chief did not believe in such a "crazy" idea, until finally he is compelled to admit that the hero was right, for by means of this dog the hero captures a gang of criminals, and rescues the heroine from their hands.

Guy K. Austin and Earl Johnson wrote the story, and Jo Pagano the screen play; David Howard directed it, and Bert Gilroy produced it. In the cast are Frank M. Thomas, Robert Emmett Keane, Monte Montague, and others.

Suitability, Class A. Tempo, pretty fast. It should not prove objectionable to children, in that the criminals are punished in the end, or for Sunday showing where crook melodramas are not objected to.

"Boys' Reformatory" with Frankie Darro and Grant Withers

(Monogram, May 5; running time, 61 min.)

A moving little melodrama, with fast action. What gives it its emotional quality is the young motherless hero's self-sacrifice; he prefers to go to jail rather than make unhappy the only mother he had ever known. And the self-sacrifice is made believable because of the good acting by Frankie Darro. Grant Withers, as the physician at the reformatory, wins one's sympathy by his kindness. Frank Coghlan, Jr., does a good piece of acting as the weakling son, whose guilt

Frankie had shouldered. Lillian Elliott is good as the mother:—

Darro, a hard-working lad, is loyal and grateful to Miss Elliott, who had reared him. But Coghlan, Miss Elliott's weakling son, frequents a poolroom and is induced by his criminal associates to take part in a robbery. They are chased by the police and Coghlan, who was driving a car, escapes with the loot. When he arrives home excited, Darro, to save Coghlan's mother from disgrace, drives the car with the loot away with the intention of abandoning it somewhere. But the police notice him and chase him. He is caught and, because he is unwilling to talk, is sent to the reformatory. Withers, having taken a liking to Darro, makes him his assistant. Darro is shocked when he sees Coghlan brought to the reformatory. At first he is furious at him for having broken his promises to go straight, but when Coghlan eventually convinces him that he had been framed by Ben Welden, the head of the crook ring who was using boys for doing the jobs, he agrees with one of Welden's stooges to escape, his purpose being to "get" Welden. They escape and he is taken to the hide-out in the city. But the stooge tells Welden that Darro was not "on the level," and Darro's life is placed in danger. But Withers, whom Darro had telephoned, arrives with the police in time to save his life and to arrest the criminals. Darro is exonerated, and because of his good work Coghlan is put on probation. Miss Elliott is happy to see her two boys back.

The story is by Ray Trampe and Norman S. Hill, the screen play by Mr. Trampe and Wellyn Totman. Howard Bretherton directed it, and Lindsley Parsons produced it. David Durand, Warren Collum and Albert Hill, Jr., are in the cast.

Because of the good moral it conveys, it may be put in the A Class, in spite of the fact that it deals with crooks.

"It's a Wonderful World" with Claudette Colbert and James Stewart

(MGM, May 19; time, 85 min.)

Very good! Combining comedy with romance and murder mystery melodrama, the picture offers entertainment that has mass as well as class appeal. The action is fast, and, towards the end, becomes tensely exciting. Considering the fact that the story is lightweight, much of the credit for the entertaining quality of the picture is due to the engaging performances by the leading players and the competent supporting cast. Some of the situations provoke hearty laughter. One of the most comical situations is that in which the police inspector confronts two detectives with a newspaper picture showing them chatting with an escaped prisoner they had been searching for; they had not recognized him. Throughout there are situations as comical:—

When James Stewart, a private detective, finds his most important client (Ernest Truex) involved in a murder case, he decides to hide him until he could obtain evidence proving his innocence. Stewart feels certain that Truex' young wife (Frances Drake) was in some way mixed up in it. But Truex is found and arrested and Stewart, too, is arrested for having obstructed the law. Stewart is sentenced to a year in prison. While riding in the train taking him to prison, Stewart comes upon a newspaper item that gives him a definite clue in the case. Through a trick, he escapes. He steals an automobile belonging to Claudette Colbert, a poetess, forcing her to accompany him. Though frightened at first, Miss Colbert calms down; after hearing Stewart's story and the fact that Truex had promised him \$100,000 if he could save him, she decides to work with Stewart. At times she is a hindrance, but for the most part, a help. Their search takes them to a summer theatre where, after many mishaps and exciting experiences, Stewart finally unravels the case. He proves that Miss Drake and her lover (Sidney Blackmer) had committed the murder in order to involve Truex, their hope being that he would be found guilty. In that way Miss Drake would have inherited her husband's fortune. Stewart prevents them from committing another murder—that of Miss Drake's former husband, from whom she had not been divorced, and who was trying to blackmail her. By this time, Stewart and Miss Colbert are madly in love with each other.

Ben Hecht and Herman J. Mankiewicz wrote the story, and Ben Hecht, the screen play; W. S. VanDyke II directed it, and Frank Davis produced it. In the cast are Guy Kibbee, Nat Pendleton, Edgar Kennedy, and others.

Because of the murder it is unsuitable for children. Good for adolescents and adults, Suitability, therefore, Class B.

CRIME SCHOOL

It is peculiar that types of pictures that go in cycles are not confined to the United States alone; the whole world seems to be affected.

For several months there has been an outcry in the United States against the fact that the number of crime pictures that are produced are too many. And there has been an outcry against the same thing in India. Here is part of an editorial that I read in *Filmindia*, a trade paper published in Bombay:

"The ever increasing tendency among Indian producers to produce crime pictures is to be deplored. Our producers are on the wrong track. Instead of doing real social and national work by producing pictures that would elevate the moral standard of our people and educate the nation on right lines through this all-important instrument of visual education, they are falling over one another to establish a crime school in India after the style and fashion pursued by the Americans. . . .

"It does not need much intelligence to imagine the sad effect of such pictures on the minds of our growing younger generation.

"Even our present-day professional criminals are taking pointers from these films, made thrilling by the versatile brains of the script writers.

"As a result of these dirty pictures, crime in the country has been in the increase. So many methods of committing crime and escaping have been shown in these films, that the amateur criminal soon becomes a professional feeling himself safe in this newly acquired knowledge from the films. . . .

"Why should talents be prostituted to teach crime to our people when so many other things can be taught—things which will turn our country into a nation of better men?"

The advice that editor Baburao Patel has given to the Indian producers applies with equal force to the American producers. For several years the number of crime pictures produced by them has been altogether out of proportion to the other types. Some companies have based more than one-half of their product on crime stories.

Let us glance at the crime pictures that have been reviewed in *HARRISON'S REPORTS* since the first week in January:

In the nineteen weeks since the first week in January, 142 pictures have been reviewed. Of these, 82 or 56 $\frac{1}{2}$ %, have been founded on some kind of crime theme—either murder or stealing. It is astounding!

Of course, not all of them are demoralizing—perhaps about one-third of this number are harmless; but when one takes into consideration the extraordinarily high percentage of vicious crime pictures, one wonders whether the Hollywood producers realize what the outcome may be.

Are crime pictures harmful?

While in Detroit, attending the National Convention of the Variety Club, I was told by an exhibitor that, the following day after the opening of "Huckleberry Finn" at his theatre, twenty corn-cob pipes disappeared from the neighborhood drug store; the boys who stole these pipes were influenced by Mickey Rooney's smoking.

I have been informed that there is a definite boycott against pictures of this type in many parts of the United States, carried on by the Parents Teachers Association and by the Women's Clubs, and, judging by the poor reception these crime pictures

are receiving, I would not be surprised if this boycott is national. Do you wonder, then, why the picture business has been shot to pieces?

If any one should tell you that this type of pictures does not influence the minds of young boys adversely, because the criminal is punished in the end, tell him to have his head examined by a psychiatrist. You can't show to young minds the commission of crime for five reels and expect the influence of their seeing crime committed to be effaced just because the criminal is punished for his misdeeds in the last reel; the natural tendency for a young man is to say to himself: "How foolish he was to be caught: If it was me, I wouldn't have done it that way."

Some pictures show the criminals brave and fearless and reckless. That impresses the minds of the young more than the punishment the criminal receives in the end.

Gentlemen-producers! You had better clean up your house before it is cleaned up for you. Do you remember the outcry against sex pictures? You were compelled to heed that outcry. Well, worse things will happen to the industry if you don't stop making so many crime pictures. But the sad part of it will be that the exhibitors, innocent parties, will suffer more than will you.

BOX-OFFICE PERFORMANCES OF 1938-39 SEASON'S PICTURES—No. 5

Warner Bros. Pictures

"Nancy Drew, Detective," with Bonita Granville, Frankie Thomas, and John Litel; produced by Bryan Foy and directed by William Clemens, from a screen play by Kenneth Gamet: Fair-Poor.

"The Dawn Patrol," with Errol Flynn, David Niven, Basil Rathbone, and Donald Crisp; produced by Robert Lord and directed by Edmund Goulding, from a screen play by Seton I. Miller and Don Tothoroh: Very Good-Good.

"Devil's Island," with Boris Karloff; produced by Bryan Foy and directed by William Clemens, from a screen play by Don Ryan and Ken Gamet: Good-Fair.

"King of the Underworld," with Kay Francis and Humphrey Bogart; produced by Bryan Foy and directed by Lewis Seiler, from a screen play by George Bricker and Vincent Sherman: Good-Fair.

"Off the Record," with Joan Blondell and Pat O'Brien; produced by Sam Bischoff and directed by James Flood, from a screen play by Earl Baldwin, Niven Busch, Laurent Kimble, and Robert Buckner: Fair.

"They Made Me a Criminal," with John Garfield and Gloria Dickson; produced by Benjamin Glazer and directed by Busby Berkeley, from a screen play by Sig Herzig: Good-Fair.

"Wings of the Navy," with George Brent, John Payne, and Olivia deHavilland; produced by Hal B. Wallis and directed by Lloyd Bacon, from a screen play by Michael Fessier: Very Good-Fair.

Twelve pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Very Good-Good, 3; Very Good-Fair, 1; Good, 1; Good-Fair, 5; Fair, 1; Fair-Poor, 1.

The first twelve pictures in the 1937-38 season were rated as follows:

Excellent-Very Good, 1; Very Good-Good, 2; Good-Fair, 3; Good-Poor, 1; Fair, 1; Fair-Poor, 4.

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No. 20

**ENCOURAGING SIGNS IN FIRST-RUN
DOWN-TOWN SITUATIONS**

For several years the down-town first-run theatre situations have been controlled by the affiliated circuits, but it seems as if their grip is beginning to be loosened up. From Boston comes word that an independent has acquired control of the Beacon, and in Buffalo another independent has taken over the Century.

What is causing conditions to alter is the dissatisfaction of the owners of the properties themselves. Since 1929, the heads of the affiliated circuits have been going to the landlords (banks in most instances, demanding a reduction in rent, and the landlords have reached a point where they have become so fed up with the tenants that here and there a landlord casts an eye around for some independent to take over his theatre. That is how it happened that the aforementioned theatres have been leased to independents.

What has gone on in Boston and Buffalo must have gone on in some other big cities throughout the country.

It seems as if a new life has been infused into the independent ranks: the independent exhibitors, encouraged by the equity suits that the Government has brought against the major companies, as well as against independent theatre chains, to break up the monopoly that these have established years ago and have enjoyed ever since, do not fear to venture into realms hitherto barred to them; they undoubtedly feel that the market will, sooner or later, be thrown open, and believe that they will have no trouble in getting product.

The loosening of the circuit grip on the first-run down-town situations is not going to prove detrimental to the motion picture industry in general, even though it might prove so to some individual companies. With a free market, producers with brains, money and initiative, and with a desire to produce independently, will have an opportunity to satisfy their desires, whereas they are now shut out.

The independent producing-distributing companies should encourage the freeing of the market from the affiliated grip.

THE TREK TO MINNEAPOLIS

This paper has just been informed that Mr. George Skouras, one of the three Skouras brothers, operators of a large number of theatres, has accepted Mr. Steffes' invitation to be present at the Allied convention in Minneapolis.

Some of the other executives who have already signified their intention to attend the convention are the following (their names in alphabetical order):

Neil Agnew, general manager of Paramount; N. J. Blumberg, president of Universal (if he can make it—he is taking his family to the Coast the first week of June); George Dembow, National Screen Service; Ned Depinet, vice president and general manager of RKO (will exert a great effort to be there); Henri Elman, of Monogram Pictures; J. E. Flynn, of MGM (will exert a great effort to be there); W. C. Gehring, of 20th Century-Fox; Edward A. Golden, vice president of Monogram Pictures; J. R. Grainger, president of Republic Pictures; W. Ray Johnston, president of Monogram Pictures Ed. Kuykendall, president of MPTOA; Jules Levy, general sales manager of RKO; Ray Lewis, publisher *Canadian Moving Picture Digest*; Abe Montague, general sales manager of Columbia (will exert a great effort to be there); David Palfreyman, of the Hays office; Terry Ramsaye, editor of *Motion Picture Herald*; H. M. Richey, Public Relations Department of RKO; Herman Robbins, of National Screen Service; Wm. F. Rodgers, general manager of distribution of Metro-Goldwyn-Mayer; Max Roth, of Republic Pictures; E. M. Saunders, of Metro-Goldwyn-Mayer; L. J. Schlaifer, vice-

president of United Artists; Wm. A. Scully, general sales manager of Universal; Gradwell L. Sears, president of Warner Bros. Pictures; Harry Sherman, producer of the Hopalong Cassidy series of westerns for Paramount; Mort H. Singer, operator of theatres for RKO; Herbert J. Yates, Sr., of Republic (will attend if he can possibly postpone his trip to London).

From this array of celebrities, and of others who will no doubt inform Mr. Steffes that they will attend, you may realize, I am sure, what a sensational convention it will be.

If you are planning to attend and you have not yet made your reservations, write, telegraph or telephone Mr. W. A. Steffes, chairman of the Convention Committee, in care of World Theatre, Minneapolis, for reservations; if you have not yet formulated your plans, formulate them right now, before all the rooms are taken up. If you should miss this convention, you will have missed one of the most important events in your career as an exhibitor.

HARRISON'S FORECASTER NOW COMBINED WITH HARRISON'S REPORTS

Since the summer of 1931, forecasts of such novels, stage plays, and magazine stories as were announced each season for production and were available were published in a service distinct from HARRISON'S REPORTS, called HARRISON'S FORECASTER, for which a separate charge was made. Hereafter, this information will, when and as available, appear in these columns as part of the regular service. No extra charge will be made for it to subscribers of HARRISON'S REPORTS.

So far, this office has been able to obtain a complete list of material only from Metro-Goldwyn-Mayer.

It is becoming more and more difficult to obtain synopses of such material from the other companies, but this office hopes to be able to obtain a fairly complete list from United Artists; and, in view of the fact that this company is now selling its pictures either singly or in as large or as small groups as an exhibitor desires to purchase, forecasts of this company's story material should prove of great value to subscribers of HARRISON'S REPORTS.

Metro-Goldwyn-Mayer

"AFTER DARK," the Saturday Evening Post story, by Graeme Lorimer and Sarah Lorimer, with Ina Claire as the star. It is a drama in which a son hates his father, because the father had been tried for the murder of a prostitute, and, even though acquitted, the son felt humiliated. But the wife stands by him. The father becomes regenerated.

Comment: The character of the father is not sympathetic in the first part, because he proves unfaithful to his wife. The son is a cad. It is the wife whose loyalty wins one.

Forecast: With proper treatment the story could make a powerfully dramatic picture. The father, whom the story presents as having murdered a prostitute, with whom he had become infatuated, might be presented as having been innocent of the crime. The son could be made to find out how noble his father was and have a guilty conscience for having had so little faith in his father. With such alterations the picture could turn out from very good to excellent in quality.

"ALASKA," with Clark Gable—a melodramatic adventure unfolding in Alaska, in which the hero, finding himself after the Civil War impoverished, accepts an assignment from Seward, Secretary of State, to go to Alaska to work against the English while the Secretary was effecting the

(Continued on last page)

"Tumbleweeds" with William S. Hart*(Astor Pictures, rel. May 20; time, 86 min.)*

This is a reissue, having been produced in 1925 and released that year through United Artists; consequently, it is silent. It has, however, been fitted with sound effects.

But it is by no means a reissue of an ordinary western. Had it been produced today, it would undoubtedly have cost more than one million dollars. The "rush" scene that shows men, women and children, speeding in all kinds of conveyances to stake homesteads in the Cherokee strip of land, which had been thrown open for settlement by the United States Government, is as thrilling as was a similar scene in Edna Ferber's "Cimarron," produced by RKO the latter part of 1930; the same maddened crowd, riding fast "to get there first," as was seen in "Cimarron," is seen in "Tumbleweeds."

The picture has been fitted with sound effects so well that after a while one is apt to become oblivious to the fact that the actors do not talk. And James Bradford, that veteran musician and composer, has fitted it with music with the same old skill, delighting one.

In addition to the sound fitting, the distributors have had Mr. Hart appear before the camera for a talking reel, which forms the prologue of the picture. Those who remember Mr. Hart in the silent days will get a surprise to hear him talk. And the talk is not ordinary; the famous actor reveals his heart through it—his love for the great west. In spots, he moves one deeply.

The story is interesting. In it, Mr. Hart is shown as a man who stands by the weak when the strong try to take advantage of them. In this instance, the heroine is Barbara Bedford, sister of the villain, a half-brother of hers; he had become acquainted with her through her little brother, Jack Murphy, whom he had defended when Richard R. Neil, their half-brother, had tried to beat him up. Up to that time, Mr. Hart was a tumbleweed, being rolled by the wind from place to place just as is that grass when dry; but upon meeting Barbara, he decides to stake in her name a homestead, the Bar K Ranch, of which he had been foreman. Through the machinations of Neil and of a co-worker of his, Hart is thrown into jail as a "sooner," but Hart breaks away and stakes the homestead. A misunderstanding arises between Barbara and him, but in the end she realizes Hart's true worth.

The familiar face of Lucien Littlefield appears in the picture; he is Hart's pal. The story was written by Hal G. Evarts, was adapted to the screen by C. Gardner Sullivan, and directed by King Baggot. The action is much faster than that of the silent version, because it is projected at the rate of 90 feet a minute, instead of 70 feet a minute, the rate at which it was photographed.

Class A.

"Trapped in the Skies" with Jack Holt*(Columbia, June 1; time, 61 min.)*

A typical Jack Holt program melodrama. Although the story is somewhat far-fetched, it should hold the attention of those who prefer action to story values. The action keeps one in suspense, since it is not disclosed, until the end, how the spies managed to commit sabotage. The picture holds little attraction for women, for there is no romance:—

Jack Holt, a Major in the U. S. Air Corps, arranges with Army officials for a demonstration of a plane controlled by wireless, invented by Holmes Herbert. But the test fails, and the plane crashes, killing the pilot. Upon examining the wreck, Holt is convinced that sabotage had been committed by spies. He hits upon a plan to uncover the identity of the guilty persons; but first it was necessary for him to leave the Army. He works out a scheme with his commander whereby the blame for the accident is put upon him, thereby causing him to be dishonorably discharged. The scheme works, for the spies try to contact him, with the intention of trying to buy from him the plans for the plane. Two of the members of a competing ring are killed before Holt is able to solve the mystery. He proves that the inventor himself was working with the spies and had committed the sabotage on the plane, hoping that the United States government would turn it down so that he could sell it to foreign agents for more money. Holt forces him to confess. His work finished, Holt returns to his Army post.

Eric Taylor and Gordon Rigby wrote the story and screen play; Lewis D. Collins directed it, and Larry Darmour produced it. In the cast are C. Henry Gordon, Ralph Morgan, Katherine DeMille, Paul Everton, Sidney Blackmer, Ivan Lebedeff, and Regis Toomey.

Suitability, Class A.

"Hotel Imperial" with Ray Milland, Isa Miranda and Reginald Owen*(Paramount, May 12; time, 79 min.)*

A rather tiresome drama, with forced comedy situations. The story is preposterous; and, since the action is confined mostly to one place, it naturally lacks speed, depending mainly on dialogue for the plot development. Even the romance lacks credibility. The interjection of songs by the Don Cossack Choir and one song by Isa Miranda is pleasant, but of slight importance to the picture. The only outstanding performance is that given by J. Carrol Naish, mainly because his is the only colorful role. The action takes place in Galicia, during the World War:—

Knowing that her sister, who had worked as a chambermaid at the Hotel Imperial during its occupancy by Austrian officers, had killed herself because of a man, Miss Miranda, an actress, in order to find the guilty man, goes to the hotel, applying for work as a chambermaid. She learns that her sister had often frequented room 12; but before she could find out who had occupied that room, the Austrians are forced to retreat before the Russians, who occupied the town. Going to room 12, she finds there Ray Milland, an Austrian officer, who was hiding from the Russians. Believing him to have been the man who had betrayed her sister, she gives him away to the Russian officers; but he escapes. Gene Lockhart, the hotel porter, an Austrian by birth, helps Milland by dressing him as a waiter. When Miss Miranda discovers that she had been mistaken about Milland, she tries to help him. It is later that she finds out that Naish, a member of the Russian Secret Service, was the man responsible for her sister's death. She goes to his room to kill him; but Milland, who had gone there to help Naish, believing him to be an Austrian officer, only to find that he was a Russian spy, shoots him first. He then escapes in order to warn the Austrian Army about a Russian scheme to annihilate them. When Naish dies, Miss Miranda takes the blame; she is sentenced to death. Milland, leading the Austrians, arrives in time to vanquish the Russians, saving Miss Miranda's life. Having fallen in love with each other, they are happy to be together once more.

Lajos Biro wrote the story, and Gilbert Gabriel and Robert Thoeren, the screen play; Robert Florey directed it. In the cast are Curt Bois, Reginald Owen, and others.

Suitability, Class B.

"Outside These Walls" with Michael Whalen, Dolores Costello and Virginia Weidler*(Columbia, May 4; time, 61 min.)*

A pretty good program melodrama. It is a prison picture, but contrary to others of this type it does not deal with crime; it shows the rehabilitation of a young man who had gone slightly wrong, but only once. He had stolen money from his employer just to provide for his wife the things she had been accustomed to. She had married him without her parents' consent and for this reason she was cut off. She eventually dies of a broken heart. There is some human interest, and one's attention is held pretty well.

The hero (Michael Whalen) is made the editor of the prison paper and when, during a revolt of the prisoners, he saves the warden's life, he is pardoned by the Governor, but he refuses to accept the pardon on the ground that, since he had erred, he wanted to pay his debt to society fully. When he is released, he goes to seek his child (Virginia Weidler), who, after her mother's death, had gone to live with her puritanical aunt. Whalen tries to get a job on a newspaper, but with no success. Finally he decides to buy a neighborhood paper, borrowing \$500 from the warden (Selmar Jackson), who had great faith in him. Whalen makes the newspaper a success, and when Jackson loses his job, he puts him up as a candidate for Governor with a program to clean up the city's graft. One of Whalen's ex-cellmates "pulls a job," and since he had called on Whalen once, the police accuse Whalen of complicity, arresting him. The rival paper, owned by Dolores Costello, sister of the opposition candidate, prints his prison record. Whalen's little daughter, who had heard her father order the criminal off the premises, calls on Miss Costello and, convincing her that her father was innocent, enlists her support and obtains her father's freedom. A romance develops between Miss Costello and Whalen.

Ferdinand Rcyher wrote the story, and Harold Buchman, the screen play; Raymond B. McCarey directed it.

Being a prison picture it may be classed as B.

**"Missing Daughters" with Richard Arlen,
Rochelle Hudson, Isabel Jewell, Marian
Marsh and Edward Raquello**

(Columbia, May 26; time, 59 min.)

Produced very well; it holds one's interest undiminished to the end. But the theme is so bold that theatres that cater to family trade may not be able to show it, for it deals with white-slave traffic, even though in a delicately guarded form. As a matter of fact, the facts dealt with lead one to believe that the story is a reenactment of the Luciano affair, in this city. There are some thrills, caused by the hero's placing his life in jeopardy while helping others. The direction, acting, settings—all are up to a high standard:—

Marian Marsh comes to New York in search of a dramatic career; instead, she gets a job dancing at the Club Naturelle, a cabaret, really a veiled house of prostitution, conducted by Edward Raquello, who obtained his "hostesses" through fake employment agencies. Embittered by her experiences, she decides to quit, threatening to talk. The following morning her body is found floating in the river. Arlen, a noted newspaper columnist and radio commentator, blasts the police over the radio for their inability to find the murderers, and decides, on a dare by the police, to undertake the job himself. He finds a co-worker in the person of Rochelle Hudson, sister of the dead girl, who had come to him after hearing his broadcast. After many complications, in which he and those who worked with him had had thrilling experiences, and had risked their lives, Arlen succeeds in uncovering the ramifications of the gang and in bringing about their arrest.

Michael L. Simmons and George Bricker wrote the original screen play, and C. C. Coleman, Jr., directed it.

Quality, Class A (program); suitability, Class B for some theatres, but Class C for others. Tempo, pretty fast. Not for children, or adolescents, and not for Sunday showing.

**"Fixer Dugan" with Lee Tracy, Virginia
Weidler and Peggy Shannon**

(RKO, April 21; time, 68 min.)

A poor circus story, in which the most thrilling moments are when Virginia Weidler enters the lions' cage while Peggy Shannon was performing and Peggy has a "terrible" time backing up the lions so as to save Virginia's life, and when a lion is let out of the cage and again Peggy saves the life of Virginia. The remainder is trite and of hardly much interest. As for Lee Tracy, it seems as if he has seen his best days in this sort of stuff. Oh, yes, the sight of a tight-rope walker falling to her death might be called thrilling by some people; but it is too gruesome to give one pleasure.

Most of the action centers around Virginia Weidler, who is reared in the circus. When her mother falls off the tight wire and is killed, Lee Tracy and Peggy Shannon look after her. Some crooks, who had inveigled Peggy into signing a bill of sale for her lions when she thought she had been signing a promissory note for \$200, try to take the lions away from her, but Tracy plays on them the same trick that they had played on Peggy, thus saving the lions. The authorities try to take Virginia away from the circus because she had been employed in an act, but eventually they let Peggy and Lee have her.

The screen play was written by Bert Granet and Paul Yawitz. The picture was directed by Lew Landers, and was produced by Cliff Reid.

Not good for Sunday showing. Children might like the circus stuff. Class B.

**"Panama Lady" with Lucille Ball
and Allan Lane**

(RKO, May 12; time, 65 min.)

A weak program melodrama. The story, in addition to being trite, is rather sordid, and the actions of the characters are such as to set one against them. The hero is not appealing, for on more than one occasion he is shown attempting to induce the heroine to become intimate with him; as a matter of fact, his first appearance is a bad one, for he is shown drinking to excess. There is nothing of a pleasurable nature in the story; almost every one displays base traits. The story is told in flashback:—

Lucille Ball, a dancer in a Panama honky-tonk, is desperate when the cafe owner (Evelyn Brent) tells her that she would have to dispense with her services. Miss Ball was in love with Donald Briggs, an aviator, who had promised to marry her upon his return from a business trip; it was, therefore, necessary for her to stay in Panama. Miss Brent agrees to give her room and board if she would help her steal from Allan Lane, a customer, a large sum of money. Although she disliked doing it, she agrees; her part was to get Lane drunk. When Lane awakens and finds

his money gone, he raves. Miss Ball agrees to go back to Lane's jungle home to work as his housekeeper. She leaves a note for Briggs, telling him where she was. Briggs, realizing that Miss Ball had found out about his gun-running business, decides to kill her. Miss Ball's arrival arouses the jealousy of Steffi Duna, a native girl who loved Lane. Lane's contempt for Miss Ball changes to love. Everyone is overjoyed when the gusher Lane had worked on comes in. Briggs arrives on the same day. Hearing about the gusher, he attempts to steal the written claim to it. Miss Ball points a gun at him and shoots; he falls dead. Lane helps her escape. A year later he meets her in the city and tells her that he had discovered that Miss Duna had committed the murder, Miss Ball's bullet having gone astray. She had done it in the hope that she could frighten Miss Ball away. Lane, now a wealthy man, asks her to marry him; she accepts him.

Garrett Fort wrote the story, and Michael Kanin, the screen play; Jack Hively directed it, and Cliff Reid produced it. In the cast are Bernadene Hayes, Abner Biberman, William Pawley, and others.

Unsuitable for adolescents or children, or for Sunday showing. Adult fare. Class B. Tempo, slow.

**"Panama Patrol" with Leon Ames
and Charlotte Wynters**

(Grand National, May 20; time, 68 min.)

This follow-up to "Cipher Bureau" is a pretty entertaining program melodrama with fairly good production values. The action is fast, and the story more plausible than that of the first picture. Again the plot revolves around the work done by the Cipher Bureau of the Federal Bureau of Investigation in Washington; it shows the methods employed to decipher codes, and stresses the alertness and bravery of the men connected with this work. One is held in suspense because of the danger to hero and heroine. The romance is minimized:—

Just as Leon Ames and Charlotte Wynters were preparing to get married, they are called back upon the urgent request of the government to decipher a code message. Since the code was in the Chinese language, Ames calls in his interpreter (Abner Biberman), little realizing that he was at the head of the foreign spy ring. Through Biberman, the spies are naturally able to learn of every move made by Ames and his men. On two occasions they trap Ames, but the alertness of his assistant (Weldon Heyburn) saves his life. Miss Wynters, through a clue, suddenly realizes Biberman's position in the matter and goes to his house, where she confronts him with her suspicions. He admits everything and then forces her to accompany him to the hideout. Ames and his men decipher another code and thus find out where the hideout was; they arrive in time to save Miss Wynters and to capture the spies. The work finished, Ames and Miss Wynters continue with their marriage plans.

Arthur Hoerl wrote the original screen play, and Charles Lamont directed and produced it. In the cast are Adrienne Ames, Sidney Miller, John Stuart, Donald Barry, and others.

Suitability, Class A.

**"Chasing Danger" with Preston Foster,
Lynn Bari and Henry Wilcoxon**

(20th Century-Fox, May 12; time, 60 min.)

One of those features that should form the second part of a double bill; the box office would die a horrible death if it were to be shown as a single feature on the bill. Its chief characteristic is fast action—nothing much else.

The hero (Preston Foster), ace man of a newsreel company, meets Lynn Bari in a cheap cafe in Paris. Just as they were getting acquainted, his assistant, (Wally Vernon) informs him that they had been assigned to cover a revolt in Morocco. At that very moment the police raid the cafe and arrest Miss Bari as the woman who was behind the Arab revolution, but the hero and his assistant enable her to escape. When, on the way to Morocco, the hero discovers that the boat was carrying machine guns and ammunition, he is thrown into the brig on orders of Miss Bari. But when they reach port he is able to obtain his freedom. In Morocco they have several escapades; they are arrested by the chief revolutionist when they try to photograph him. Eventually the hero discovers, and proves to the heroine, that the chief revolutionist was double-crossing her. He gets through a message to the French of their imprisonment. The French send planes and bombard the revolutionists. Thus hero and heroine are rescued.

Leonardo Bercovici wrote the story, and Robert Ellis and Helen Logan, the screen play; Ricardo Cortez directed it. Suitability, Class B.

purchase of that land from the Russians. The hero goes with the idea of working for the English, but he changes his mind and works for the United States. A young woman, of Russian descent, has a great deal to do with his regeneration.

Comment: There is fast action, human interest, and there are thrills.

Forecast: the story should make a powerful melodrama, and with Clark Gable in the leading part it should do excellent business.

"BALALAIKA," the play by Eric Maschwitz, an after-revolution drama of Russian aristocracy, with Nelson Eddy and Ilona Massey, with the action unfolding in the Balalaika Cafe, in Montmartre (Paris), in which cafe the waiters were all Russian nobles.

Comment: The story is not unusual, and the action is not exciting; but it is glamorous. The unhappy lovers win one's compassion. Perhaps MGM intends to make a musical out of it. If so, it should turn out either fairly good or good.

"BEAU BRUMMEL," the stage play by Clyde Fitch, with Robert Donat as the star—a period drama, unfolding in London during the reign of King George III. The chief character is George Bryan Brummel, a handsome young man, whose attire set the fashion, and whose company the best ladies in the land and the highest aristocrats, including the Prince of Wales, sought. The play, with Richard Mansfield, made a great hit. A successful silent picture was made out of it by Paramount, with the late Rudolph Valentino in the leading part, with Sydney Olcott as the director.

Comment: The story is glamorous and the action interesting. There is a chance for brilliant dialogue, and for magnificent settings. The value of the story material, however, depends almost entirely upon the leading character.

Forecast: With Robert Donat in the leading part, MGM should make a picture either very good or excellent in quality, and no doubt in box-office results, even though the silent version, with John Barrymore in the leading part, at that time very popular, "fopped."

"DANCING CO-ED," a romantic comedy, with music and dancing against a college background.

Comment: The action is pretty fast, and the romance is appealing, particularly to young folk.

Forecast: It should make a good picture, its box-office results depending on the popularity of the leads.

"FLORIAN," a novel by Felix Salten, a drama centering around the warm friendship between a stable boy (hero), a magnificent stallion, and a small dog, with Austria as the locale, and the Austrian court as part of the background, and with a noble girl as the heroine, brought together with the boy by his love for the horse.

In the synopsis furnished by MGM, the dog dies, the hero is killed in the world war, and Florian, the horse, after many vicissitudes, finds peace at a farm. But the story has actually been altered: not only does the boy live, but he and the girl emigrate to America, where they find happiness.

There is glamour in this story, and deep human sympathy. Who can fail to be moved by the close friendship of a man, a horse and a dog? The romance is naturally sympathy arousing. No one can fail to surround with love such a character as the noble Austrian girl falling in love with a commoner.

The picture is to be produced for MGM by Winfield Sheehan, who made so many outstanding attractions when he was a leading figure in the old Fox organization. It should turn out either very good or excellent in quality, with a box-office appeal depending on the popularity of the leads.

"THE GREAT LAUGHTER," the Fannie Hurst novel, a drama in which a widow, by investing her money wisely, amasses a fortune, but has the ill-luck to see her son a criminal, and her grandchildren nonentities.

Comment: With the exception of the mother-grandmother, the characters are unpleasant.

Forecast: Unless the characterizations as well as most of the situations are altered, the MGM efforts may be wasted in such story material.

"GUNS AND FIDDLES," a romantic melodrama with music, with Robert Taylor and Hedy LaMarr as the stars. It is a light story, a sort of "Robinhood," mixing heroes, bandits, gypsies and music; it unfolds in the days of very old Hungary.

Comment: There is fast action, some human interest, a colorful background, and a chance for good music.

Forecast: The picture will, no doubt, turn out good to very good in quality, but whether this story suits well the stars for box-office results it is hard to tell. Taylor seems to be miscast in a story of this kind.

"HOUSE OF GLASS," by Max Marcin, a crook melodrama involving an innocent young girl, with Joan Crawford. In it the heroine, a stenographer, becomes engaged to a chauffeur, little realizing that he had stolen from his former employer valuable jewels. She is arrested along with him. Both receive a prison sentence. Soon she is paroled, and then breaks her parole, and marries another. But her past haunts her. Eventually her husband obtains a pardon for her.

Comment: There is action throughout the entire story, and since a menace hangs over the heroine at all times one's interest never lags. The heroine's fate awakens one's sympathy.

Forecast: It should make a good to very good melodrama of this type, with box-office possibilities in each locality, depending on Miss Crawford's drawing powers.

"IT CAN'T HAPPEN HERE," the Sinclair Lewis novel, a fantastic political melodrama, in which it is shown that the United States goes fascist, and is ruled over by a dictator, with the hero and those who believed in his theory struggle to bring back democracy.

Comment: This story, dealing with the horror and the brutalities of a dictatorship, is powerful. As a matter of fact, it is so powerful that many of the book's readers get nightmares. Its moral is supposed to be to arouse Americans against the possibility of a dictatorship.

Forecast: The picture should turn out very good in quality, and the fame of the author, and the publicity the book has received, may offset the fact that it is a propaganda story, particularly if MGM should put popular actors in the lead.

"IF I HAD A COMRADE," the story by Viscount Castlerose, a melodrama starting during the World War and developing in the period when the Nazis came into power, with the hero an ace German aviator, who becomes a pastor, and who, because of his preaching against Nazism, is sent to a concentration camp, where he develops tuberculosis, is liberated and, after preaching a stirring sermon against Nazism, dies. There is also a good romance.

Comment: Powerful material, the kind that should appeal not only to religious persons but to all laymen who love freedom. The hero's fighting for his ideals is stirring.

Forecast: The picture should turn out good to very good in quality.

"IF I LOVE YOU AGAIN," the story by Octavus Roy Cohen, with William Powell and Myrna Loy, a drama of loss of memory, with a murder involvement.

Comment: There is interest all the way through, and a chance for considerable comedy.

Forecast: With Myrna Loy and William Powell, the picture should turn out very good, and should do very well at the box office.

"JOURNEY'S END," the R. C. Sheriff play, with Robert Donat. It is a war drama, in which most of the action unfolds in a dugout, the English officers' quarters, situated just about one hundred yards away from the German dugout. The English are shown expecting an attack at any moment. It was produced in England and released in the United States in the summer of 1930.

Comment: This is a powerful story; it has no war scenes, but shows the tragedy of war as it affects the men personally. There are no light touches, and no romance.

Forecast: A picture based on this story material will, no doubt, turn out to be powerful, but it is doubtful whether the public will accept it as an entertainment considering their present state of mind. This paper hopes that MGM will not produce it.

"KIM," the Rudyard Kipling novel, an adventurous melodrama, with the British Army in India as the background, and with Hindu mysticism dealt with. The chief character is a young English boy, whom a Hindu mystic had taken under his wing.

Comment: There is considerable melodramatic action, and the interest is held well.

Forecast: "Kim" should make a picture from good to very good in quality, with the box office possibilities depending on the leads.

IN TWO SECTIONS—SECTION TWO

HARRISON'S REPORTS

Vol. XXI

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Sundown on the Prairie—Monogram (53m.)	Not Reviewed
Sunset Trail—Paramount (68 min.)	Not Reviewed
Sweepstakes Winner—First National (59 min.)	71
Terror of Tiny Town, The—Columbia (63 min.)	Not Reviewed
Texas Stampede—Columbia (57½ min.)	Not Reviewed
They Made Her a Spy—RKO (68 min.)	55
Thundering West, The—Columbia (58m.)	Not Reviewed
Torchy Runs for Mayor—Warner Bros. (59 min.)	74
Union Pacific—Paramount (135 min.)	70

Wild Horse Canyon—Monogram (50m.)	Not Reviewed
Winner Take All—20th Century-Fox (62 min.)	54
Women in the Wind—Warner Bros. (65 min.)	63
Wuthering Heights—United Artists (97 min.)	59
You Can't Get Away With Murder—First National (78 min.)	62
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RELEASE SCHEDULE FOR FEATURES Columbia Features

(729 Seventh Ave., New York, N. Y.)

9023 Whispering Enemies—J. Holt-D. Costello	Mar. 24
9019 Romance of the Redwoods—Bickford	Mar. 24
9205 North of the Yukon—Starrett (64 min.)	Mar. 30
9013 The Lady and the Mob—Bainter-Lupino	Apr. 3
9030 First Offenders—Abel-Roberts	Apr. 12
9214 The Law Comes to Texas—Star west. (58m.)	Apr. 16
9206 Spoilers of the Range (The Oklahoma Trail)—Charles Starrett (58 min.)	Apr. 27
9031 Outside These Walls—Costello-Whelan	May 4
Blind Alley—Morris-Belamy-Dvorak	May 11
9027 Missing Daughters—Arlen-Marsh	May 22
9001 Only Angels Have Wings—Grant-Arthur r.	May 25
9024 Trapped in the Sky—Jack Holt	June 1
9207 Arizona Cowboy—Starrett	June 8
Q Planes—Olivier-Hobson	June 15
Parents on Trial—Parker-Downs	June 22
9208 The Man From Sundown—Starrett	June 30

First National Features

(321 W. 44th St., New York, N. Y.)

354 Dark Victory—Davis-Brent-Fitzgerald	Apr. 22
364 You Can't Get Away With Murder—Bogart	Apr. 29
353 Confessions of a Nazi Spy—Robinson	May 6
373 Sweepstakes Winner—Wilson-Jenkins (re.)	May 20
374 Code of the Secret Service—Reagan	May 27

Grand National Features

(50 Rockefeller Plaza, New York, N. Y.)

W1-2 Ride 'Em Cowgirl—Dorothy Page (52m.)	Jan. 20
W1-19 Six-Gun Rhythm—Tex Fletcher (57m.)	May 13
314 Panama Patrol—Ames-Wynters	May 20
301 Exile Express—Anna Steu-A. Marshal	May 27
W1-3 The Singing Cowgirl—D. Page (57m.)	May 31

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

925 The Ice Follies of 1939—Crawford	Mar. 10
928 Within the Law—Hussey-Neal-Kelly	Mar. 17
927 Sergeant Madden—Beery-Curtis-Brown	Mar. 24
930 Society Lawyer—Bruce-Pidgeon	Mar. 31
931 Broadway Serenade—MacDonald-Ayres	Apr. 7
929 The Kid From Texas—O'Keefe-Rice (re.)	Apr. 14
934 The Hardys Ride High—Stone-Rooney (re.)	Apr. 21
932 Calling Dr. Kildare—L. Barrymore (re.)	Apr. 28
933 Lucky Night—Taylor-Loy (re.)	May 5
935 Tell No Tales—(A Hundred to One Shot)—Douglas-Platt	May 12
936 It's a Wonderful World—Colbert-Stewart	May 19
937 Bridal Suite—Young-Aunabella	May 26
No release for	June 6
6000 Enemies—Pidgeon-Johnson	June 9
Tarzan—Weissmuller-O'Sullivan	June 16
Maisie Was a Lady—Sothorn-Young	June 23
Stronger Than Desire—Bruce-Pidgeon	June 30

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

- 3863 Rollin' Westward—Tex Ritter (51 min.) ...Mar. 1
3809 Mystery Plane—Trent-YoungMar. 8
3854 Trigger Smith—Randall (51 min.)Mar. 22
3824 Undercover Agent—Gleason-Deane (56m.)...Apr. 5
3802 Streets of New York—Cooper-SpellmanApr. 12
3829 Wanted by Scotland Yard—J. Stephenson ..Apr. 19
Boys' Reformatory—Frankie DarroMay 1
3864 Down the Wyoming Trail (Man From
Texas)—Tex Ritter (reset)May 18
Wolf Call—Movita-J. Carroll (reset)May 18
3855 Across the Plains (Riders of the Rio Grande)
—Randall (reset)June 1
Girl from Nowhere—Nagel-HullJune 10
Stunt Pilot—John TrentJune 29
3865 Roll, Wagon, Roll—Tex RitterJune 29

Paramount Features

(1501 Broadway, New York, N. Y.)

- 3834 The Lady's From Kentucky—Raft-Drew ...Apr. 28
3835 Union Pacific—Stanwyck-McCreaMay 5
3836 Hotel Imperial—Miranda-Milland (reset)...May 12
3837 Some Like It Hot—Hope-Ross-Krupa (re.) May 19
3838 Unmarried—Jones-Twelveetrees (66 min.)...May 26
3864 Stolen Life—Bergner-RedgraveMay 26
3839 Gracie Allen Murder Case—Allen-William..June 2
3840 Undercover Doctor—Nolan-Naish-Logan ...June 9
3841 Invitation to Happiness—Dunne-MacMurray..June 16
3842 Grand Jury Secrets—Howard-FrawleyJune 23
3843 Heritage of the Desert—Woods-BarratJune 23
Island of Lost Men—Wong-Naish-Blore ...June 30

Republic Features

(1776 Broadway, New York, N. Y.)

- 865 The Night Riders—Three Mesq. (57 min.) ..Apr. 12
854 Frontier Pony Express—Rogers (58 min.) ..Apr. 20
811 Street of Missing Men—Bickford-RyanApr. 28
844 Blue Montana Skies—Autry (56 min.)May 4
866 Three Texas Steers—Three Mesq. (56 min.) May 12
801 Man of Conquest—Dix-Patrick-MorganMay 15
855 Southward Ho—Rogers (58 min.)May 18

RKO Features

(1270 Sixth Ave., New York, N. Y.)

1937-38 Season

- 838 Story of Vernon and Irene Castle—Ginger
Rogers-Fred AstaireApr. 28
(End of 1937-38 Season)

1938-39 Season

- 921 They Made Her a Spy—Eilers-LaneApr. 14
922 Fixer Dugan—L. Tracy-WeidlerApr. 21
923 The Rookie Cop—Holt-WeidlerApr. 28
924 Sorority House—Shirley-EllisonMay 5
925 Panama Lady—Ball-LaneMay 12

Twentieth Century-Fox Features

(444 W. 56th St., New York, N. Y.)

- 945 Inspector Hornleigh—Harker-Sim (76m.) ...Apr. 21
940 Return of the Cisco Kid—Baxter-BariApr. 28
8012 Climbing High—Matthews-Redgrave (71m.)Apr. 28
941 Chasing Danger—Foster-Bari-VernonMay 5
942 Rose of Washington Square—Power-Faye ...May 12
943 Boy Friend (Police School)—WithersMay 19
944 The Gorilla—Ritz Bros.-Louise-NorrisMay 26
946 The Jones Family in Hollywood—Prouty ...June 2
947 Young Mr. Lincoln—Fonda-Brady-Weaver ..June 9
948 Charlie Chan in Reno—Toler-CortezJune 16
951 The Girl from Brooklyn—Faye-BaxterJune 23
950 It Could Happen to You—Stuart-ErwinJune 30
952 Mr. Moto Takes a Vacation—Lorre-Field ...July 7

United Artists Features

(729 Seventh Ave., New York, N. Y.)

- Made For Each Other—Lombard-J. StewartFeb. 10
King of the Turf—Menjou-D. Costello-AbelFeb. 17
Stagecoach—Trevor-Wayne-Devine-Carradine ...Mar. 3
Prison Without Bars—Edna BestMar. 10
Wuthering Heights—Oberon-Olivier-NivenApr. 7
Zenobia—Hardy-Burke-Langdon-BradyApr. 21
Captain Fury—McLaglen-Aherne-Lang (reset) ..May 26

Universal Features

(1250 Sixth Ave., New York, N. Y.)

- A3001 Three Smart Girls Grow Up—DurbinMar. 24
A3020 The Family Next Door—Herbert-Hodges..Mar. 31
A3006 East Side of Heaven—Crosby-Blondell....Apr. 7
A3019 Code of the Streets—Carey (reset)Apr. 14
A3018 Big Town Czar—MacLane-Brown-Arden..Apr. 21
For Love or Money—Lang-KentApr. 28
Ex Champ—McLaglen-BrownMay 19
The Sun Never Sets—Fairbanks, Jr.May 26
Inside Information—Lang-ForanJune 2
They Asked for It—Whalen-HodgesJune 9
House of Fear—Gargan-HerveyJune 30
("Hawaiian Holiday" listed in the last Index as a May 18
release has been postponed to July 21)

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

- 321 The Adventures of Jane Arden—TowneMar. 18
323 On Trial—Lindsay-Litel-NorrisApr. 1
304 Dodge City—Flynn-deHavilland-Sheridan ...Apr. 8
316 Women in the Wind—Francis-Gargan-Jory ..Apr. 15
322 Torchy Runs for Mayor—FarrellMay 13

SHORT SUBJECT RELEASE SCHEDULE

Columbia—One Reel

- 9854 Screen Snapshots No. 4—(9½m.)Dec. 15
9505 The Kangaroo Kid—Color Rhapsody (7½m.) Dec. 23
9803 King Vulture—Sport Thrills (10½m.)Dec. 23
9654 Community Sing No. 4—(10½m.)Dec. 30
9855 Screen Snapshots No. 5—(9m.)Jan. 6
9753 Scrappy's Added Attraction—Scrappys
(6½ min.)Jan. 13
9961 A Night in a Music Hall—Music Hall
Vanities (11 min.)Jan. 20
9506 Peaceful Neighbors—Color Rhap. (8m.)Jan. 26
9804 Odd Sports—Sport Thrills (9½m.)Jan. 27
9704 Krazy's Bear Tale—Krazy Kat (7½m.)Jan. 27
9655 Community Sing No. 5—(9½m.)Jan. 27
9553 Big Town Commuters—Tours (9m.)Feb. 3
9856 Screen Snapshots No. 6—(10m.)Feb. 17
9902 Washington Parade—Issue #2 (11m.) (re.) Feb. 21
9656 Community Sing No. 6—(10½m.)Feb. 24
9962 A Night at the Troc—Vanities (10½m.)...Mar. 2
9754 Scrappy's Side Show—Scrappys (6½m.) ...Mar. 3
9857 Screen Snapshots No. 7—(9½m.)Mar. 17
9805 Navy Champions—Sport Thrills (9½m.) ...Mar. 17
9657 Community Sing No. 7—(10½m.)Mar. 24
9508 Happy Tots—Color Rhapsody (6½m.)Mar. 31
9705 Golf Chumps—Krazy Kat (6½m.)Apr. 6
9858 Screen Snapshots No. 8—(9½m.)Apr. 8
9509 The House That Jack Built—Col. Rh. (7m.) Apr. 14
9806 Diving Rhythm—Sport ThrillsApr. 21
9658 Community Sing No. 8—(10½m.)Apr. 21
9755 A Worm's Eye View—Scrappys (7m.)Apr. 28
9903 Washington Parade—Issue #3 (reset)May 12
9706 Krazy's Shoe Shop—Krazy KatMay 12
9859 Screen Snapshots No. 9—(9½m.)May 12
9659 Community Sing No. 9May 19
9963 Yankee Doodle Home—VanitiesMay 19
9510 Lucky Pigs—Color RhapsodyMay 26
9660 Community Sing No. 10June 16

Columbia—Two Reels

9184	The Falcon Strikes—G-Men #4 (16½m.)	Feb. 18
9405	We Want Our Mummy—Stooges (16½m.)	Feb. 24
9185	Flight from Death—G-Men #5 (19m.)	Feb. 25
9186	Phantom of the Sky—G-Men #6 (19½m.)	Mar. 4
9430	The Sap Takes a Rap—All star com. (16m.)	Mar. 10
9187	Trapped by Radio—G-Men #7 (15½m.)	Mar. 11
9188	Midnight Watch—G-Men #8 (16½m.)	Mar. 18
9431	Boom Goes the Groom—All star com. (17m.)	Mar. 24
9189	Wings of Death—G-Men #9 (18m.)	Mar. 25
9190	Flaming Wreckage—G-Men #10 (17½m.)	Apr. 1
9406	A Ducking They Did Go—Stooges (16m.)	Apr. 7
9191	While a Nation Sleeps—G-Men #11 (17m.)	Apr. 8
9192	Sealed Orders—G-Men #12 (16½m.)	Apr. 15
9432	A Star Is Shorn—All star (17m.)	Apr. 21
9193	Flame Island—G-Men #13 (17m.)	Apr. 22
9194	Jaws of Death—G-Men #14 (14½m.)	Apr. 29
9433	The Chump Takes a Bump—All star (18m.)	May 5
9195	The Falcon's Reward—G-Men #15 (13m.)	May 6
9141	Shadow on the Wall—Mandrake the Magician #1 (30 min.)	May 6
9142	Trap of the Wasp—Mandrake #2	May 13
9407	Yes, We Have Bananas—Stooges (16m.)	May 19
9434	Now It Can Be Sold—All star (16½m.)	June 2

Metro-Goldwyn-Mayer—One Reel

K-923	The Story of Alfred Nobel— Passing Parade (11 min.)	Feb. 18
C-936	Tiny Troubles—Our Gang (10m.)	Feb. 18
W-883	Jitterbug Follies—Cartoons (9m.)	Feb. 25
S-906	Marine Circus—Pete Smith (tech.) (9m.)	Mar. 11
C-937	Duel Personalities—Our Gang (10m.)	Mar. 11
W-884	Wanted No Master—Cartoons (8m.)	Mar. 18
F-955	An Hour for Lunch—Benchley (9m.)	Mar. 18
K-924	Story of Dr. Jenner—Pass. Par. (10m.)	Mar. 18
T-858	Java Journey—Traveltalks (8m.)	Mar. 18
M-877	Love on Tap—Miniatures (11m.)	Mar. 18
S-907	Weather Wizards—Pete Smith (9m.)	Apr. 8
C-938	Clown Princes—Our Gang (10m.)	Apr. 15
W-885	The Little Goldfish—Cartoons (8m.)	Apr. 15
T-859	Glimpses of Australia—Travel. (9m.)	Apr. 15
T-860	Rural Hungary—Traveltalks (9m.)	Apr. 29
C-939	Cousin Wilbur—Our Gang (10m.)	Apr. 29
T-861	Picturesque Udaipur—Traveltalks (8m.)	May 13
F-956	Dark Magic—Robert Benchley	May 13
W-886	The Art Gallery—Cartoons	May 13
M-878	Hollywood Hobbies—Miniatures (10m.)	May 13

Metro-Goldwyn-Mayer—Two Reels

R-804	Somewhat Secret—Musicals (21m.)	Mar. 25
R-805	Happily Buried—Musicals (20m.)	Apr. 15
P-813	While America Sleeps—Crime Doesn't Pay (21 min.)	Apr. 15

Paramount—One Reel

T8-7	So Does an Automobile—Boop (6m.)	Mar. 31
A8-9	Three Kings and a Queen—Head. (10½m.)	Apr. 7
P8-9	Paramount Pictorial #9—(9½m.)	Apr. 7
V8-9	Fisherman's Pluck—Paragraphic (9m.)	Apr. 14
R8-10	Good Skates—Sportlight (9m.)	Apr. 14
L8-5	Unusual Occupations #5—(10m.)	Apr. 14
C8-4	Small Fry—Color Classic (8m.)	Apr. 21
E8-7	Leave Well Enough Alone—Popeye (5½m.)	Apr. 28
A8-10	Paramount Presents Hoagy Carmichael— Headliner (9½ min.)	May 5
P8-10	Paramount Pictorial #10—(10m.)	May 5
R8-11	Diamond Dust—Sportlight (9m.)	May 12
T8-8	Musical Mountaineers—Boop (6m.)	May 12
J8-5	Popular Science #5	May 12
V8-10	Swans—Paragraphic (9m.)	May 19
E8-8	Wotta Nitenare—Popeye (7m.)	May 19
K8-6	Jamaica—Color Cruises (9m.)	May 26
A8-11	Tempo of Tomorrow—Headliner	June 2
P8-11	Paramount Pictorial #11	June 2
R8-12	Watch Your Step—Sportlight	June 9
T8-9	The Scared Crows—Boop cartoon	June 9

RKO—One Reel

94060	Gold—Reelism (9m.)	Feb. 10
94207	Readin' Ritin' and Rhythm—NuAtlas (10m.)	Feb. 17
94307	Snow Falls—Sportscope (9m.)	Feb. 24
94109	Practical Pig—Disney (8m.)	Feb. 24
94607	Air Waves—Reelism (10m.)	Mar. 10
94110	Goofy and Wilbur—Disney cart. (8m.)	Mar. 17
94208	Samovar Serenade—Musical (10m.)	Mar. 17
94308	Sporting Wings—Sportscope (9m.)	Mar. 24
94608	Soldiers of the Sea—Reelism (9m.)	Apr. 7
94111	The Ugly Duckling—Disney cart. (9m.)	Apr. 7
94209	Hello Mama—NuAtlas (11m.)	Apr. 14
94309	Big Leaguers—Sportscope (9m.)	Apr. 21
94112	Hockey Champ—Disney cartoon (7m.)	Apr. 28
94609	Television—Reelism (9m.)	May 5
94210	Arcade Varieties—NuAtlas (11m.)	May 12
94310	Smooth Approach—Sportscope (9m.)	May 19
94113	Donald's Cousin Gus—Disney (7m.)	May 19

RKO—Two Reels

93107	March of Time—(19m.)	Feb. 17
93603	Swing Vacation—Headliner (19m.)	Feb. 24
93704	Home Boner—Leon Errol—(20m.)	Mar. 10
93108	March of Time—(18m.)	Mar. 17
93403	Clock Wise—Edgar Kennedy (16m.)	Mar. 24
93503	Ranch House Romeo—Ray Whitley (17m.)	Apr. 7
93109	March of Time—(19m.)	Apr. 14
93203	Dog Gone—Radio Flash (16½m.)	Apr. 21
93705	Moving Vanities—Leon Errol (17m.)	May 5
93110	March of Time	May 12
93405	Baby Daze—E. Kennedy (15m.)	May 19

Twentieth Century-Fox—One Reel

9303	Hunting Dogs—Sports (10½m.)	Mar. 3
9510	Gandy Goose in G-Man Jitters— Terry-Toon (6½ min.)	Mar. 10
9105	Mystic Siam—Lowell Thomas (10m.)	Mar. 17
9527	The Nutty Network—Terry-Toon (6½m.)	Mar. 24
9603	Fashion Forecasts No. 3—(9½m.)	Mar. 31
9511	The Cuckoo Bird—Terry-Toon (6½m.)	Apr. 7
9404	Muscle Maulers—Lew Lehr (10½m.)	Apr. 14
9512	Their Last Bean—Terry-Toon (6½m.)	Apr. 21
9304	Inside Baseball—Sports (10½m.) (re.)	Apr. 28
9528	Barnyard Egg-Citement—Terry-Toon	May 5
9205	Sand Hogs—Adv. News Cameraman	May 12
9513	Nick's Coffee Pot—Terry-Toon (6½m.)	May 19
9106	Good Neighbors—Lowell Thomas (reset)	May 26
9514	The Prize Guest—Terry-Toon	June 2
9107	Tempest Over Tunis—Lowell Thomas	June 9
9515	Gandy Goose in a Bully Romance—T.-Toon	June 16
9305	Sports Immortals—Sports	June 23
9516	Africa Squawks—Terry-Toon	June 30

Universal—One Reel

A3358	Going Places With Thomas #60—(10m.)	Feb. 20
A3250	Birth of a Toothpick—Lantz cart. (7½m.)	Feb. 27
A3371	Stranger Than Fiction #60—(9m.)	Mar. 6
A3359	Going Places With Thomas #61—(9m.)	Mar. 13
A3251	Little Tough Mice—Lantz cart. (7m.)	Mar. 13
A3252	One Armed Bandit—Lantz cart. (7m.)	Mar. 27
A3372	Stranger Than Fiction #61—(9m.)	Apr. 3
A3253	Crack Pot Cruise—Lantz cart. (6½m.)	Apr. 10
A3360	Going Places With Thomas #62—(9m.)	Apr. 10
A3254	Charlie Cuckoo—Lantz cart. (7m.)	Apr. 24
A3373	Stranger Than Fiction #62—(9m.)	May 1
A3255	Nellie of the Circus—Lantz cart. (7m.)	May 8
A3361	Going Places With Thomas #63—(9½m.)	May 15
A3374	Stranger Than Fiction #63—(9m.)	June 5

Universal—Two Reels

A3884 The Sky Patrol—Rogers #4 (20m.) May 2
 A3885 The Phantom Plane—Rogers #5 (20m.) .. May 9
 A3886 The Unknown Command—Rogers #6
 (19 min.) May 16
 A3230 Pharmacy Frolics—Mentone (18½m.) May 17
 A3887 Primitive Command—Rogers #7 (19m.) ... May 23
 A3388 Revolt of the Zuggs—Rogers #8 (19m.) ... May 30
 A3889 Bodies Without Minds—Rogers #9 (19m.) . June 6
 A3890 Broken Barriers—Rogers #10 (18m.) June 13
 A3231 Swing Sanatorium—Mentone (18m.) June 14

Vitaphone—One Reel

4506 Daffy Duck in Hollywood—Mer. Mel. (8m.) . Dec. 3
 4705 Happy Felton & Orch.—Mel. Mast. (10m.) .. Dec. 3
 4304 Treacherous Waters—True Adv. (10m.) Dec. 10
 4904 Robbin' Good—Vit. Varieties (10m.) Dec. 10
 4805 Porky the Gob—Looney Tunes (8m.) Dec. 17
 4507 Count Me Out—Merrie Melodies (7m.) Dec. 17
 4706 Dave Apollon & Orch.—Mel. Mast. (11m.) .. Dec. 24
 4508 The Mice Will Play—Mer. Mel. (7m.) Dec. 31
 4605 Mechanix Illustrated #2—Col. Par. (10m.) .. Jan. 7
 4305 Human Bomb—True Adv. (11m.) Jan. 7
 4707 Clyde Lucas & Orch.—Mel. Mast. (10m.) ... Jan. 7
 4806 The Lone Stranger & Porky—L. Tunes (7m.) . Jan. 7
 4509 Doggone Modern—Mer. Mel. (7m.) Jan. 14
 4905 Ski Girl—Varieties (8m.) Jan. 14
 4708 Blue Barron & Orch.—Mel. Mast. (8m.) Jan. 21
 4510 Ham-ateur Night—Mer. Mel. (8m.) Jan. 28
 4807 It's an Ill Wind—L. Tunes (7m.) Jan. 28
 4606 Points on Pointers—Color Par. (9m.) Jan. 28
 4709 Jerry Livingston & Orch.—Mel. M. (10m.) .. Feb. 4
 4511 Robinhood Makes Good—Mer. Mel. (8m.) .. Feb. 11
 4306 High Peril—True Adv. (9m.) (re.) Feb. 18
 4808 Porky's Tire Trouble—L. Tunes (7m.) Feb. 18
 4906 Gadgeteers—Varieties (11m.) Feb. 18
 4607 Mechanix Illustrated #3—Color Par. (10m.) . Feb. 25
 4512 Goldrush Daze—Mer. Mel. (7m.) Feb. 25
 4710 Russ Morgan & Orch.—Mel. Mast. (9m.) ... Feb. 25
 4307 A Minute From Death—True Adv. (11m.) .. Mar. 4
 4403 The Master's Touch—Tech. Spec. (9m.) ... Mar. 11
 4513 A Day at the Zoo—Mer. Mel. (8m.) Mar. 11
 4809 Porky's Movie Mystery—L. Tunes (7m.) ... Mar. 11
 4907 Tax Trouble—Varieties (11m.) Mar. 18
 4712 Clyde McCoy & Orch.—Mel. Mast. (9m.) .. Mar. 18
 4608 The Roaming Camera—Color Par. (9m.) ... Mar. 25
 4514 Prest-o Change-o—Mer. Mel. (7m.) Mar. 25
 4308 Chained—True Adventure (11m.) Apr. 1
 4810 Chicken Jitters—Looney Tunes (6½m.) Apr. 1
 4515 Bars and Stripes Forever—Mer. Mel. (8m.) . Apr. 8
 4711 Dave Apollon & Orch.—Mel. Mast. (10m.) .. Apr. 8
 4909 The Crawford's "At Home"—Varieties
 (11 min.) Apr. 15
 4811 Porky and Teabiscuit—L. Tunes (7½m.) ... Apr. 22
 4516 Daffy Duck & Dinosaur—Mer. Mel. (8m.) .. Apr. 22
 4609 Mechanix Illustrated #4—(10m.) Apr. 22
 4713 Artie Shaw & Orch.—Mel. Mast. (10m.) Apr. 29
 4309 Voodoo Fire—True Adventures (12m.) May 6
 4517 Thugs With Dirty Mugs—Mer. Mel. (8m.) . May 6
 4812 Kristopher Columbus, Jr.—L. Tunes (7m.) .. May 13
 4610 For Your Convenience—Col. Par. (9m.) May 20
 4714 Larry Clinton & Orch.—Mel. Mast. (9m.) .. May 20
 4518 Hobo Gadget Band—Mer. Mel. May 27
 4910 Dean of the Pasteboards—Varieties (10m.) .. May 27
 (4908 "The Right Way" listed in the last Index as an April
 15 release has been postponed)

Vitaphone—Two Reels

4020 Sundae Serenade—Bway. Brev. (17m.) Feb. 25
 4022 Projection Room—Bway. Brev. (19m.) Mar. 4
 4023 Home Cheap Home—Bway. Brev. (18m.) ... Mar. 18
 4024 A Fat Chance—Bway. Brev. (18m.) Mar. 25
 4025 Rollin' in Rhythm—Bway. Brev. (18m.) Apr. 15
 4005 Sons of Liberty—Technicolor (21m.) Apr. 22
 4026 Seeing Spots—Bway. Brev. (18m.) Apr. 29
 4027 You're Next-To Closing—Brev. (18m.) May 13

NEWSWEEKLY NEW YORK RELEASE DATES

Universal

771 Wednesday .. May 17
 772 Saturday May 20
 773 Wednesday .. May 24
 774 Saturday May 27
 775 Wednesday .. May 31
 776 Saturday June 3
 777 Wednesday .. June 7
 778 Saturday June 10
 779 Wednesday .. June 14
 780 Saturday June 17
 781 Wednesday .. June 21
 782 Saturday June 24
 783 Wednesday .. June 28

Fox Movietone

71 Wednesday ... May 17
 72 Saturday May 20
 73 Wednesday ... May 24
 74 Saturday May 27
 75 Wednesday ... May 31
 76 Saturday June 3
 77 Wednesday ... June 7
 78 Saturday June 10
 79 Wednesday ... June 14
 80 Saturday June 17
 81 Wednesday ... June 21
 82 Saturday June 24
 83 Wednesday ... June 28

Paramount News

82 Wednesday ... May 17
 83 Saturday May 20
 84 Wednesday ... May 24
 85 Saturday May 27
 86 Wednesday ... May 31
 87 Saturday June 3
 88 Wednesday ... June 7
 89 Saturday June 10
 90 Wednesday ... June 14
 91 Saturday June 17
 92 Wednesday ... June 21
 93 Saturday June 24
 94 Wednesday ... June 28

Metrotone News

269 Wednesday .. May 17
 270 Saturday May 20
 271 Wednesday .. May 24
 272 Saturday May 27
 273 Wednesday .. May 31
 274 Saturday June 3
 275 Wednesday .. June 7
 276 Saturday June 10
 277 Wednesday .. June 14
 278 Saturday June 17
 279 Wednesday .. June 21
 280 Saturday June 24
 281 Wednesday .. June 28

Pathe News

95286 Wed. (E.) . May 17
 95187 Sat. (O.) .. May 20
 95288 Wed. (E.) . May 24
 95189 Sat. (O.) .. May 27
 95290 Wed. (E.) . May 31
 95191 Sat. (O.) .. June 3
 95292 Wed. (E.) . June 7
 95193 Sat. (O.) .. June 10
 95294 Wed. (E.) . June 14
 95195 Sat. (O.) .. June 17
 95296 Wed. (E.) . June 21
 95197 Sat. (O.) .. June 24
 95298 Wed. (E.) . June 28

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No. 21

DEMAND AS FAIR A TREATMENT AS EXHIBITORS OF OTHER TERRITORIES ARE RECEIVING!

As a result of my comment on *Variety's* report about the distributors' decision to charge to the exhibitors live-and-let-live prices the coming season, which report was corroborated by a letter from Mr. Steffes printed in the following week's issue of this paper (May 13), I have received from some exhibitors letters informing me that the salesmen of their territories are asking even bigger prices for next season's product than they asked last summer for the current season's.

I am not surprised that they are asking such prices. It has never been known for all the sales forces of a company to obey home office instructions to the letter; some of them always try to disregard them, their sole object being to show bigger sales if possible, regardless whether the exhibitors can or cannot stay in business.

Let me cite an illustration that will bring this tendency out more vividly: You know that some of the companies have decided to adopt the trade practices code at once instead of waiting for its ratification by the exhibitors; and they have issued instructions accordingly. What do you think has happened? In some zones these instructions have been disregarded: In the matter of cancellations, the salesmen of the same companies have told the exhibitors that their film bill will be increased twenty per cent this year in order that they may pay for film the same amount of money after canceling 20% of the pictures they had contracted for as they paid last year. In the matter of no play-date designation on pictures with a minimum guarantee, the exhibitors have been told that the distributors will either refrain from asking a minimum guarantee on pictures they designate on Saturdays and Sundays, or will increase the number of percentage pictures. In the matter of score charges, they will add the usual amount to the film rental.

Do you blame the exhibitors for having lost faith in the distributors?

I am calling your attention to such a disregard of home office instructions with the object of encouraging you to demand that you receive the same treatment as the exhibitors in other territories. Not only should you obtain your next season's film at lower prices than you paid for this season's product, but you should also demand a reduction in the price of whatever pictures you are still to play out of this season's product. You are entitled to a reduction, for business conditions just now are "terrible." The drop in business from last season's level is no less than 30%, and, in some cases, as high as 60%. And there is hardly any hope of immediate improvement. Authority for this statement is none other than Mr. Joseph M. Schenck himself, chairman of the board of directors of Twentieth Century-Fox; he was quoted in the May 10 issue of the *Film Daily* as follows:

"Schenck foresees no immediate return to 'good' theatre business throughout the country until world conditions become more settled, although he expects a general improvement this year, due to the quality of the forthcoming Hollywood product."

In other words, this optimistic improvement of theatre business will, since the world conditions are still bad and no one knows how much worse they may become, depend entirely on the quality of the pictures that Hollywood will produce; and, if what Hollywood has shown us since January is any criterion, there will be no improvement, for I have never in my career seen worse pictures. Hollywood seems to have lost the "knack" of making good pictures.

It seems to me as if the picture business has reached the low level of the expiring days of the silent pictures in 1926 and 1927. At that time, the industry was saved by the miracle of the talking pictures. What miracle can save the industry now? Not even good pictures can do much to help it, for at this time there are so many more diversissements than there were in 1927! Radio has made a marvellous progress since that time; a person can sit in the comforts of his home and listen to fine programs, the choice of his desire, at no cost to him. And there are many others.

The industry must do many things besides producing meritorious pictures to recapture public patronage. These will be discussed in a forthcoming issue. In the meantime, demand that, in the matter of obtaining film, you be given as fair a treatment as the exhibitors of other territories; or, better yet, refrain from buying until after the Allied convention, for in Minneapolis you will receive enough information to enable you to determine what your film purchasing policy for the 1939-40 season should be.

WHY CAN'T THE DISTRIBUTORS BE CONSISTENT?

From the day there appeared to be a gulf between the distributors and Allied on what concessions the distributors should grant to the exhibitors, the distributors let it be known, through the trade press, that they would put the reforms in force "with or without the consent of the Allied leaders." But now they seem to have changed their mind.

According to the May 15 issue of *Motion Picture Daily*, the trade pact is beset with obstacles; the arbitration set up seems to be the stumbling block. The following is part of what that paper says:

"A canvass of distribution companies late last week revealed considerable indecision among sales executives as to whether or not they would be willing to put the other phases of the trade program into effect by incorporating them in exhibition contracts in the event the arbitration efforts failed to produce results."

What really underlies their change of mind is their unwillingness to grant the 20% cancellation right; they feel that, under such a provision, their profits will vanish.

The distributors have become so set with the idea that the elimination of block-booking will prove injurious to their interests that they see ghosts.

ALLIED CONVENTION CREATING EXCITEMENT

As the date set for the Allied convention in Minneapolis is approaching, the interest of the entire motion picture industry to it is heightened. This is evidenced by the number of hotel reservations that have already been made. Mr. Steffes reports that every room in the Nicollet Hotel has been taken, and reservations are now made in other of the best hotels in that city.

If you have not yet made your reservations, wire to Mr. W. A. Steffes, in care of World Theatre, Minneapolis, at once.

Of course, Mr. Steffes will always be able to find room for every one who will attend, but he cannot guarantee you choice rooms unless you telegraph your request at once. You must remember that it will not be exhibitors alone that the Minneapolis hotels have to take care of; people of other businesses travel there, particularly at this time of the year.

It is going to be a memorable convention and you cannot afford to miss it.

"Inspector Hornleigh" with Gordon Harker and Alastair Sim

(20th Century-Fox, April 21; time, 75 min.)

This British-made picture can be recommended only for the most ardent followers of murder mystery melodramas, since the murderer's identity is well concealed until the end; otherwise, it has little appeal for the average American audience. For one thing, the players neither are known here nor do they give outstanding performances. Furthermore, their speech is at times difficult to understand. Another thing against it is the fact that the story is developed for the most part by dialogue instead of by action. A mild romantic interest is worked into the plot:—

While working on a murder case involving the death of a hotel porter, Gordon Harker, Scotland Yard Inspector, discovers that a suitcase belonging to the murdered man was missing. When he eventually locates it, he finds in it, to his amazement, the budget bag belonging to the Chancellor of the Exchequer. Upon checking with the Chancellor and learning that he had his bag, Harker realizes that the second bag was undoubtedly used by some one as a means by which to get the budget secrets; they had switched the bags while the Chancellor had been dining, copied the information, and then returned the original bag. Since it was too late for the Chancellor to change his budget plans, the contents of which gave an opportunity to the one who had read it to make a financial coup, Harker knows he had to solve the case quickly. During his investigation two more men are killed. Several persons are under suspicion. He finally confronts the men involved in the plot, and proves that the murders had been committed by a hotel porter, who had stumbled upon the plot and wanted the information for himself.

Bryan Wallace wrote the screen play and Eugene Forde directed it. In the cast are Miki Hood, Wally Patch, Steve Geray, and others.

Unsuitable for children. It is all right for adolescents and adults. Suitability, Class B. Tempo, somewhat slow because of too much dialogue.

"Stolen Life" with Elisabeth Bergner and Michael Redgrave

(Paramount, May 26; time, 87 min.)

This British-made drama is an artistic achievement, but its appeal will be limited to theatres in large cities, and at that to class audiences. They should be interested, not only in the engrossing story and intelligent dialogue, but also in the excellent performances, as well as in the lavish background. Miss Bergner, playing a dual role, surpasses previous performances; she makes one feel as if the two persons she portrays are separate and distinct characters, entirely different from each other except in looks. Although the action holds one absorbed, it is doubtful if the masses will appreciate the picture, for the plot is unfolded in a slow manner; this is so particularly in the closing scenes.

The story revolves around twins, Martina and Sylvia Lawrence (both played by Miss Bergner). Martina is serious and honest, while Sylvia is flirtatious, callous, and selfish. Martina meets Alan McKenzie (Michael Redgrave), a mountain-climbing explorer, and the two soon fall in love with one another. Accidentally he meets gay Sylvia and, thinking her to be Martina, expresses his love for her. When he finds out the truth, he is too enamored of Sylvia to give her up; he marries her, to the despair of Martina. During McKenzie's absence, Martina visits her sister; they go out boating. A storm breaks and the boat capsizes; Sylvia drowns. Martina is rescued. Everyone believes she is Sylvia, for she was found clutching a marriage ring in her hand; it was her sister's ring, which had slipped into her palm while she was trying to hold on to her sister's hand. She continues to let everyone believe her Sylvia. To her horror, she learns that her sister had been having an affair. Her father, who discovered the deception, warns her of the danger. When McKenzie returns, she is shocked to learn that he knew about the affair and, thinking her to be his wife, wanted to divorce her; it is then that she learns that it was really she herself whom he loved. She naturally tells him the truth. The true lovers are, therefore, united.

The plot was adapted from the novel by K. J. Benes. Margaret Kennedy wrote the screen play; Paul Czinner directed and produced it. In the cast are Wilfrid Lawson, Mabel Terry Lewis, Richard Ainley, and others.

Not for children or adolescents; good adult fare. Suitability, Class B. Tempo, slow.

"Some Like It Hot" with Bob Hope and Shirley Ross

(Paramount, May 19; time, 64 min.)

Mild entertainment. The story, in addition to being trite, is slow-moving. One or two situations manage to provoke laughter; this effect is owed to the clowning by Bob Hope. But, aside from that, there is little else to recommend it, for the action and dialogue lack freshness. The presence in the cast of Gene Krupa and his band may serve as a lure for young "jitterbug" fans; as a matter of fact, they will be the only ones who will enjoy the music he plays. The romance is routine:—

Bob Hope, manager of a midway attraction, finds himself without funds and with a disgruntled group of musicians. He tries to convince Bernard Nedell, owner of the midway, that Krupa's band was good enough to play at his dance palace, but Nedell, having no faith in Bob, refuses to listen to him. Bob meets and falls in love with Shirley Ross, a singer, who had placed her faith in him. Knowing he had no money, she gives him a ring she owned, asking him to use it to buy material for an act. Bob, in an effort to double his money, loses the ring to Nedell in a dice game; he does the same thing with a song both he and Miss Ross had written. Krupa and his band, having been put out of their quarters, start playing on the boardwalk and immediately attract a crowd of dancers. Nedell, realizing that the band was good, offers to sign them up with Miss Ross as singer, but without Bob. At first Miss Ross refuses, but when she learns what Bob had done with the ring and song, she agrees. Bob leaves; later he works at low jobs. Eventually he returns and is reconciled with Miss Ross, who convinces Nedell that Bob would make a good master of ceremonies.

Ben Hecht and Gene Fowler wrote the story. George Archainbaud directed it. In the cast are Una Merkel, Ruie Davis, Harry Barris, and others.

Suitability, Class A. Tempo, rather slow.

"Only Angels Have Wings" with Cary Grant and Jean Arthur

(Columbia, May 26; time, 120 min.)

A powerful melodrama, centering around commercial aviation; it is a thriller for those who enjoy aviation pictures. Some of the situations are, however, extremely harrowing. One such situation (but one that holds the spectator in tense suspense) is that in which Noah Beery, Jr., flying in the fog, attempts to land by means of radio directions given to him from the field by Cary Grant, his chief. One realizes the hopelessness of the attempt; consequently, one feels deep sympathy for the flier, who eventually crashes. Another such situation is that in which a pilot, in spite of the fact that his plane was on fire and he was burned, flies it to the landing field. The photography in the air scenes is exceptional. Even though processed shots are used for the background when the different characters are supposed to be flying, the effect is so realistic that one feels as if the actors were actually piloting the planes.

The story itself is routine; it revolves around a group of adventurous men, headed by Grant, who worked against the most difficult odds in an effort to build up a commercial airline from a small port in South America to the interior. To this center comes Jean Arthur, a showgirl, who was on her way back to the States. Her boat had stopped at the port for a few hours and she had decided to see the sights. She becomes acquainted with two pilots, and later meets Grant, with whom she falls deeply in love. The death of a young pilot and the casual way his friends accept it depress her. But Grant explains to her that, unless the men acted that way, they would go mad. She purposely misses her boat, which annoys Grant. Although he had become attracted to her, it was one of his rules not to ask favors of any women. Upon the arrival of Richard Barthelmess, a pilot who had been blackballed because he had once jumped from his plane leaving his mechanic to crash, things begin to happen, for the brother (Thomas Mitchell) of the dead mechanic was one of Grant's pilots. Eventually Barthelmess, under dangerous conditions, proves his worth even to Mitchell, who dies after an accident. Grant leaves for the last important flight before the airmail contract could be assured. In a subtle way he asks Miss Arthur to wait for him; she is overjoyed.

Howard Hawks wrote the story, directed and produced it. Jules Furthman wrote the screen play. In the cast are Rita Hayworth, Sig Ruman, Victor Kilian, John Carroll, Allyn Joslyn, and others.

Suitability, Class A. Although the tempo is not fast, the action holds one's interest well.

"Captain Fury" with Brian Aherne, Victor McLaglen and June Lang

(United Artists, May 26; time, 91 min.)

Good for the action-melodrama fans, particularly for those in small towns. It is a typical western melodrama, with fights, shooting, and fast horseback riding, the only change being in the locale—the action takes place in Australia. It lacks the full measure of excitement of "big" westerns, in spite of the fact that the production values are good and the acting competent. This is caused by the lack of novelty in the plot development, and by the repetition of situations showing the hero and his men rushing to the rescue of terrorized ranchers. The ease with which the hero accomplishes his work is at times too far-fetched. On occasion, the action provokes laughter due to the antics of Victor McLaglen. The romance is pleasant:—

Brian Aherne, a political prisoner, arrives in Australia with other convicts to serve his time at hard labor. George Zucco, an avaricious land owner who dreamed of developing an empire for himself, takes Aherne and other prisoners to work for him. Aherne, unable to bear the cruelties inflicted on the prisoners, escapes and hides at the ranch house in which Paul Lukas lived with his daughter (June Lang). Lukas orders him out. But Aherne, hearing of the tortures Zucco was inflicting on the ranchers so as to force them out, offers to fight for their cause. Lukas, a stern moralist, pleads with the ranchers not to accept Aherne's help, but they disregard his advice. With their help, Aherne releases a few prisoners, including McLaglen. The band, headed by Aherne, outwits Zucco and his men each time they attempt to harm ranchers. In the meantime, the Governor-General, having heard about Aherne, travels to the interior to find out for himself what was happening. Zucco's men imprison Lukas. They then try to prove that the charred body of a man found in Lukas' burned house was that of Lukas, and that Aherne had committed the murder; the dead man was really one of Zucco's gang, who had gone there to steal Lukas' money. The timely arrival of the Governor-General and the presence of Lukas, who had escaped, save Aherne's life. He, McLaglen and one other prisoner, are pardoned, the others having been killed. Zucco is forced out, and the ranchers are guaranteed protection. Lukas begs Aherne's forgiveness and gives his consent to the marriage of his daughter to Aherne.

Grover Jones, Jack Jevne, and William DeMillie wrote the screen play, and Hal Roach directed and produced it. In the cast are John Carradine, Douglas Dumbrille, Virginia Field, Charles Middleton, Lumsden Hare, and others.

Suitability, Class A. Tempo, fairly fast.

"Ex-Champ" with Victor McLaglen, Tom Brown and Nan Grey

(Universal, May 19; time, 72 min.)

Mild program fare. Its appeal should be directed almost exclusively to men, young as well as old, because the action and dialogue are concerned mostly with prizefighting. The father-love angle is hardly appealing since the son, for whom the father makes many sacrifices, is unworthy; one feels as if the father was wasting his time. Moreover, the father's actions of attempting in the end to betray one who had trusted him, just to make easy money for his son, who had lost on the stock market money belonging to a client, are hardly pleasurable. The romance is appealing but of little importance:—

Victor McLaglen, a former tri-state boxing champion, is proud of his son (Donald Briggs), having sacrificed a great deal to send him through college. But McLaglen's daughter (Nan Grey) knows how ungrateful Briggs was. McLaglen, who had not lost his interest in fighting, takes under his wing Tom Brown, an ambitious boxer. In the meantime, Briggs marries a society girl (Constance Moore), without telling her anything about his family; he does not even invite his father or sister to the wedding. McLaglen decides to train Brown, who had shown good possibilities; he finally arranges for him to fight the champion. It is then that he learns that Briggs had lost on the stock market not only his own money but also money that had been entrusted to him by a client. McLaglen asks Briggs to borrow \$30,000, which he would bet against Brown; he promises to see to it that Brown does not win. But through no fault of his the plans fall through. He is overjoyed when he learns that his pal (William Frawley),

to whom he had given the money to bet, had bet it on Brown. Briggs begs for forgiveness, and everything is adjusted. Miss Grey marries Brown.

Gordon Kahn wrote the story, and Alex Gottlieb and Edmund L. Hartmann, the screen play; Phil Rosen directed it, and Burt Kelly produced it. In the cast are Samuel S. Hinds, Thurston Hall, and others.

The actions of both Briggs and his father are not particularly edifying for children; suitable for adolescents and adults. Suitability, Class B. Tempo, somewhat slow.

"Tell No Tales" with Melvyn Douglas and Louise Platt

(MGM, May 12; time, 69 min.)

A fast-moving, tensely exciting program melodrama. Capably acted and directed, it is the type of entertainment that should hold the interest of nearly any type of audience. Not that the story itself is novel; it is the intelligent way in which it has been handled. Situations that might, in other pictures, seem far-fetched, appear here to be logical. Another thing in the picture's favor is that, the development of the plot, instead of being done by dialogue, is acted out. A romance is hinted at:—

Melvyn Douglas, editor of a reputable newspaper, is shocked when the publisher (Douglas Dumbrille) informs him that he had decided to discontinue publishing the paper. He offers Douglas a job on his tabloid newspaper, which Douglas turns down. But that very night Douglas comes upon a lead in a kidnapping case that had puzzled the police—a hundred dollar bill bearing one of the numbers of the ransom money. By careful questioning, Douglas is able to trace the bill to the original dispenser. But his efforts endanger his life, as well as that of Louise Platt, a young school-teacher, who had been a witness to the kidnapping. Eventually he traps the kidnappers; but, before turning them over to the police, he rushes through an extra in his own newspaper. It naturally creates a sensation. Dumbrille, realizing his mistake, orders the newspaper to continue with Douglas as its editor. Miss Platt gives up her school position to work on the newspaper so as to be near Douglas.

Pauline London and Alfred Taylor wrote the story, and Lionel Houser, the screen play; Leslie Fenton directed it, and Edward Chodorov produced it. In the cast are Gene Lockhart, Florence George, Halliwell Hobbes, Zeffie Tilbury, Harlan Briggs, and others.

Not suitable for children. Adolescents and adults should enjoy it. Suitability, Class B.

"Boy Friend" with Jane Withers, Arleen Whelan and Richard Bond

(20th Century-Fox, May 19; time, 72 min.)

Strictly for the juvenile trade and for Jane Withers' fans, for she appears almost throughout. Adults may be bored, because the action is so far-fetched. For instance, Jane and another youngster are shown solving a mystery that had baffled the police. As usual, she provokes laughter by the way she interferences in everything, thereby involving those who try to help her. Another cause for laughter is her first puppy love affair. The closing scenes, where the gang is rounded up, are fairly exciting:—

Jane, whose mother ran a boarding house for police rookies, is delighted when George Ernest, younger brother of one of the rookies, arrives from military school for a visit. To win his attention, she pretends to put on airs. Everyone is heartbroken when Ernest's brother is killed while trying to prevent a robbery at a fur house. To add to Jane's woes, her brother (Richard Bond) resigns from police school, preferring to join a gang headed by Douglas Fowley; it was this gang that had been responsible for the death of Ernest's brother. But no one knows that Bond was really working for the police in an effort to get evidence against the gang. Jane and Ernest stumble onto the facts. They find the stolen furs hidden in the basement of a night club from which Fowley operated. In the meantime, Fowley finds out about Bond's connection with the police and plans to kill him. But quick thinking on the part of Jane saves Bond's life. The gang is rounded up. Bond goes back to the police school, to the joy of Arleen Whelan, his fiancée.

Lester Ziffen and Louis Moore wrote the story, and Joseph Hoffman and Barry Trivers, the screen play; James Tinsling directed it, and John Stone produced it. In the cast are Warren Hymer, Robert Kellard, Minor Watson, and others.

The fact that the gangsters are not glorified makes it suitable for children. Suitability, Class A. Tempo, fairly fast.

METRO-GOLDWYN-MAYER FORECASTS

(Continued from last week's issue)

"A LADY COMES TO TOWN," the Clements Ripley short novel, with Joan Crawford. A domestic drama, in which the heroine has a quarrel with her mother because she wanted to marry against her wishes, follows the man she loved and, when she finds out that he was a derelict, tries to get a job, is helped by a gambler, whose mistress she eventually becomes. She discovers a silver mine, and she and the gambler marry.

Comment: The characters are unsympathetic, and there is very little of the action that arouses one's interest.

Forecast: Unless the material is altered radically, the picture will undoubtedly turn out poor.

"LADY OF THE TROPICS," with Robert Taylor and Hedy LaMarr, a romantic melodrama dealing extensively with sex affairs, showing the hero marrying the mistress of a banker (heroine). The banker frames him on a murder charge. But he goes crazy and blurts out the truth. The story unfolds in Saigon, Indo-China.

Forecast: It is doubtful whether a picture based on this story could make an entertaining picture. As for its box-office possibilities, not even Robert Taylor's popularity can help a poor picture much.

"THE LADY AND THE WAITER," the play by Dorothy Milhau, a romantic comedy revolving around the subduing of a spoiled society girl, with the girl's mother having a hard time keeping her daughter from falling in love with different men.

Comment: Light comedy material, with pretty fast action.

Forecast: The story should make a good program picture.

"LOVER COME BACK TO ME," the play "New Moon," by Signum Romberg, with Jeanette MacDonald and Nelson Eddy, a romantic melodrama with music, unfolding during the reign of King Louis XVI.

Comment: Although this story was produced in 1930, under the title "New Moon," the present story has been altered to such an extent that it fits the stars extremely well, for it gives them an opportunity to sing. MGM intends, no doubt, to produce it in technicolor.

Forecast: It should turn out a very good entertainment, with good to very good box-office results.

"MADAME CURIE," the biography of the famed scientist by Eve Curie, her daughter, with Greta Garbo as Madame Curie.

Comment: There is much human-interest material in this story. The sacrifices of Madame Curie and of Mr. Curie, her husband, discoverers of radium—the nobleness of these two people to help mankind, should move the heart of every one. It should appeal to men as well as women; and even to children.

Forecast: The picture will, no doubt, turn out to be excellent, and since the book has been read widely, and, in addition, the story ran serially in the *Ladies' Home Journal*, it should have excellent results at the box office.

"MAY FLAVIN," the novel by Myron Brinig, a drama of a woman who is deserted by her husband, leaving her alone with her six children, and who, starting out from poverty-stricken surroundings, ends up with a luxurious home in Hollywood.

Comment: There are enough doings to hold one's attention tensely. May is a sympathetic character—she is the eternal sacrificing mother. But Flavin is unsympathetic. As to the children, some of them are good whereas some bad.

Forecast: MGM will, no doubt make suitable alterations in situations as well as characterizations. If so, the picture should turn out good or very good in quality, the box-office results depending on the leads.

"NICKEL SHOW," a story by Vera Caspary, dealing with the development of moving picture theatres from nickel shows to palaces. A triangle drama is interwoven in the plot.

Comment: An ordinary story, in which the heroine is unsympathetic, because she does not value a good husband; she prefers to keep up a romance with a man who proves himself to be unworthy of her.

Forecast: A "B" type picture, for double bills.

"NINOTSHKA," a comedy-melodrama, the story by Melchior Lengyel, with Greta Garbo, to be produced by Ernst Lubitsch. The heroine is a representative of Soviet Russia. She is sent to Paris to negotiate a trade agreement,

is invited to his home by a count, who is a professional lover, but charming. The agreement is not consummated, and she is recalled; it is eventually consummated in Moscow. The two find that they love each other.

Comment: Not much to the story.

Forecast: Because of the fact that Greta Garbo will be in the leading part and Ernst Lubitsch will direct it, no doubt the story will be altered considerably. It may turn out good or very good in quality, with similar box-office results.

"NORTHWEST PASSAGE," the Kenneth Roberts novel, a best seller, with Robert Taylor, Spencer Tracy and Wallace Beery, an adventure melodrama, a period story, unfolding in London and in America in the after-revolutionary days.

Comment: There is plentiful action in this story, considerable human appeal, and a charming romance.

Forecast: The story should make a very good picture. As to its chances at your box office, it will depend on whether costume pictures are or are not popular.

"NOT TOO NARROW, NOT TOO DEEP," the novel by Richard B. Sale, a melodrama of primitive passions and of religious faith that performs sort of minor miracles. To star Joan Crawford and Spencer Tracy. The story deals with convicts who had escaped from Devil's Island. One of them had been jailed for manslaughter; another was a petty thief who had turned homosexual for protection, a brute becoming his protector; one is a tubercular American professor; one, a Frenchman, who had been sent to the island for raping children; one had murdered his wife.

Comment: The book is powerful, but the action a mixture of revolting things and of religion. MGM will, no doubt, alter the situations as well as the characterizations radically since it has announced two outstanding stars in the leads.

Forecast: With alterations, it should turn out a powerful melodrama, with good to very good box-office possibilities.

"ON BORROWED TIME," Paul Osborn's stage play, which was founded on the novel by Lawrence Edward Watkin; it is to star Lionel Barrymore, Sir Cedric Hardwicke, and Bob Watson. It is a fantasy about death, with the action allegorical.

Comment: The play was highly successful in New York, playing for ten months. There is pathos, and the interest is tense throughout. Most of the sympathy goes to the young boy, the part having been played on the stage by Peter Holden, who appeared in RKO's "The Great Man Votes."

Forecast: There is no question that the picture will turn out an artistic achievement. Whether, however, it will be successful at the box office to a similar degree it is hard to tell. As a rule, pictures whose themes are death have so far failed at the box office. "Peter Grimm," for example; and "Outward Bound," and "Liliom," and "Earthbound," and others. "Death Takes a Holiday" has been a partial exception: in some spots it did well, whereas in some others it did poor business. Perhaps the good results in some spots were owed to Fredric March, who was at the height of his popularity at that time. At any rate, MGM will, no doubt, make a creditable production with it.

"ROSARY," the play by Edward E. Rose, dealing with a hero, who met the heroine while passing by a church and hearing her sing "The Rosary"; they soon marry. There are several misunderstandings, but all these are removed in the end.

Comment: The story was produced by First National in 1922. It is old-fashioned material, but it could be improved by proper alterations in characterizations as well as in structure.

Forecast: Since the material lends itself to alterations, MGM should make with it a picture either good or very good in quality. The title is good for the box office, which could be helped very much if the leading parts should be given to popular players.

"RUINED CITY," dealing with a London banker's sacrifice to help a community. From the Nevil Shute story "Kindling." Most of the background is that of a fictitious country.

Forecast: The story is somewhat prosaic, the best feature of it being the hero's determination to help other people, in gratitude of his having regained his health, which had gone to pieces when he had learned that his wife had relations with a man who was not of the white race. The action is fairly fast.

Forecast: MGM will, no doubt, eliminate the relationship of the hero's wife with a non-white man. If so, the story should make a fairly good program picture.

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LET THERE BE ANOTHER GREATER MOVIE SEASON CAMPAIGN

"Suggestions made recently by Spyros Skouras for the need of another united industry drive for patronage," says John C. Flinn, in the May 24 issue of weekly *Variety*, "seem timely at the moment when the nation's box-office is entering the seasonal summer doldrums. Skouras was the principal proponent of the industry's drive last autumn, and an enthusiastic supporter of the group that believed the ultimate aims of that campaign were attained."

This paper wishes to go on record as being in favor of another such campaign, for it believes that, despite the mistakes of last year's campaign, the industry as a whole benefitted. More than six hundred editorials favoring and boosting the campaign appeared in the dailies of the nation. And who can say that these editorials did not do an immense amount of good? Before the campaign, columnists were maligning the industry, and many newspapers were taking a ghoulish joy in "ribbing" it. As soon as the campaign started, all that stopped, and lauding took its place.

Exhibitors and producer-distributors may have their differences, the result of diversity of interests; but no one can disagree, on either side, when it comes to working up among the public an interest to attend motion pictures, for then both producer-distributors and exhibitors benefit.

This year the reasons for such a campaign are not exactly the same as the reasons for last year's. Last year the business was shot to pieces because of the ill feeling that had been created against the industry by the radio commentators and by some of the newspapers; this year, the picture business has reached the lowest in years because of general business conditions, on the one hand, and the general poor quality of pictures, on the other, compelling the public to go to the picture theatres only when some outstanding production is shown.

A movie campaign by a united industry is needed more this year than was needed in any other past year, for another reason—to prevent the public from becoming aware of the mood of the exhibitors. Every exhibitor is disheartened, but he should not let the public gain knowledge of that feeling; otherwise, more people will keep away from the theatres.

It is understood, of course, that in the new campaign the mistakes of the old campaign will not be repeated. The "Movie Quiz" contest will be left out, naturally, and care will undoubtedly be taken to avoid a repetition of other mistakes. Last year's experience should prove a teacher.

NEW YORK STATE UNIT IN FULL ACCORD WITH NATIONAL BODY

For several days before the New York State Allied unit held its convention, there appeared in the trade papers news items to the effect that the New York State unit, of which Mr. Max Cohen, an owner of several theatres in this city, is its president, was not in full accord with the policies and methods of the national body.

Judging by the kind of resolution the New York State unit passed unanimously at its convention, which was held in this city last week, one learns that those statements were not authorized; they were merely the deductions of the trade paper reporters.

The following is the resolution:

"WHEREAS, the Allied States Association of Motion Picture exhibitors has fought consistently and successfully for the welfare of the independent exhibitors; and

"WHEREAS, the National Board of Directors of Allied, at their annual meeting in Washington, January 17th, 1939, unanimously adopted the following resolution regarding Trade Practice Proposals and the future policy of the National body:

"After thorough study of the proposals submitted, and presupposing that legal and workable wording of such proposals can be evolved, the Board nevertheless feels that such proposals fall far short of curing the industry evils of which Allied and the independent exhibitors have complained. The Board therefore reiterates the stand taken in its former resolution that nothing in any plan which may be reported shall in any way hinder or preclude Allied States Association from seeking a larger measure of relief than that offered by the distributors, by legislation, litigation, or otherwise. Further, that the Allied campaign of legislation and litigation be prosecuted unceasingly and with vigor, therefore, be it

"RESOLVED, that Allied Theatre Owners of New York [State] hereby goes on record as being completely in accord with the National policies as above stated by the National Board of Directors, and hereby instructs its officers and its representatives on the National Board to give the fullest cooperation to the national body in carrying forward its policies."

Col. H. A. Cole, president of the national body, was enthusiastic about the work Mr. Cohen has done in building up the New York State unit. "He is a tireless and systematic worker," Mr. Cole stated to the writer.

METRO-GOLDWYN-MAYER FORECASTS

(Concluded from last week's issue)

"THE SEA OF GRASS," the Conrad Richter novel, with Spencer Tracy, a melodrama unfolding in the west, with a feud between cattlemen and "nesters" as the background, and with an old Colonel, enemy of the nesters, as the chief character. In the story, the Colonel's wife deserts him, and their son becomes a criminal; she returns on the day the boy was buried, and the Colonel received his wife as if she had never gone away.

Comment: The story is powerful, and in some spots deeply appealing. The sufferings of the old Colonel cannot help touching one's heartstrings. Mr. Tracy certainly ought to do great justice to the part.

Forecast: MGM has a good piece of property in this story, and with a few alterations here and there there is no reason why it should not make a very good picture, in quality as well as in box-office results.

"SOLDIERS THREE," the Rudyard Kipling novel, a melodrama, in which one of the characters is driven insane by the tormenting of his comrades and starts shooting people. The hero, by proper maneuvering, overpowers him.

Comment: This is not really a plot, but one big situation. The incidents employed by the late Mr. Kipling to work his character up to frenzy, making him crack under the tormenting, with the final flare up, resulting in murder, and in the murderer's hanging, show the author's skill in handling words. But the material, though suspenseful, is not pleasurable.

Forecast: Unless MGM will have a new story written, using this episode as part of it, it is doubtful if the picture will turn out entertaining.

"THE SPUR OF PRIDE," the Percival C. Wren novel, an adventure melodrama unfolding in India, with British

(Continued on last page)

"Exile Express" with Anna Sten and Alan Marshal

(Grand National, May 27; time, 70 min.)

From a production standpoint, "Exile Express" is as good as most major company releases; but as entertainment, it is only fairly good, for the story lacks plausibility. As a matter of fact, some of the situations are slightly ridiculous; this is so particularly in the situation where the heroine diverts the attention of two policemen, who were looking for her, by entertaining them with a "jitterbug" dance. The story, dealing with espionage, should hold the attention of an average audience, since the plot is not too involved; they may be pleased also with the patriotic note that is worked into the plot, for it is done without preachment. One feels some sympathy for the heroine, whose innocence is proved in the end:—

Anna Sten, who worked as an assistant to Harry Davenport, a scientist, looks forward with joy to receiving her citizenship papers. But Davenport is killed by a spy ring, who wanted to obtain control of a secret formula he had perfected. The officials, believing that Miss Sten was involved with the spies, arrange to deport her. Jerome Cowan, who was supposedly in love with her, arranges for her escape from the train that was taking her to Ellis Island. She did not know that Cowan was at the head of the spy ring. His purpose in "rescuing" her was to force her to read the scientist's notes that had been partly burned. In order to make her re-entry into the United States possible, Cowan arranges for her to marry an American citizen. Alan Marshal, a newspaper reporter, who had followed her, takes the frightened bridegroom's place. Before the night is over, they are in love with each other. But, believing that a story about her that had appeared in a newspaper had been written by Marshal, she runs away and goes to Cowan's home. It is then that she learns the truth. Marshal arrives with the police in time to save her and to capture the spies. Miss Sten is cleared and receives her citizenship papers; she is then reconciled with Marshal.

Edwin Justus Mayer wrote the story, and Ethyl LaBlanche, the screen play; Otis Garrett directed it, and Eugene Frenke produced it. In the cast are Jed Prouty, Walter Catlett, Stanley Fields, Leonid Kinsky, and others. Suitability, Class A. Tempo fairly fast.

"Bridal Suite" with Annabella and Robert Young

(MGM, May 26; time, 69 min.)

A silly romantic comedy, with a trite plot. The action is slow and tiresome; as a matter of fact the story is developed mostly by dialogue. In addition, the characters, particularly the hero, are unappealing. This is due not to the fault of the performers, but to the inanity of the material. For instance, one situation shows the hero tricking the heroine into visiting him in his room, and then attempting to force his attentions on her. Even if this were meant to be comical, it is in bad taste. Annabella's accent still makes her speech unintelligible:—

Robert Young, pampered son of Billie Burke and Gene Lockhart, an American millionaire, gallivants around Europe, spending money and doing no work. His mother, who adored him, is unhappy because, on different occasions, he had missed his own wedding to Virginia Field. Lockhart is so annoyed that he threatens to disown him. Miss Burke, fearing that her son was ill, insists that he go with her to a resort in the Alps where a famous doctor (Walter Connolly) was vacationing. Connolly is annoyed when they arrive, but he examines Young and insists that the only thing wrong with him was the fact that he did not work. Young meets Annabella, proprietress of the inn, and makes love to her, but she really falls in love with him. The shock he receives when he hears that she had fallen down the mountain makes him realize that he loved her. He is happy to find her safe. But they part. Young leaves for America with his mother, Miss Field and her father; the plans were for the young couple to be married by the Captain on the ship. Annabella shows up, ready to believe in Young; again she is disappointed when she hears about the impending marriage. Young jilts Miss Field, marrying Annabella instead. His father is delighted at the change in his son, who was now ready to work, having been inspired by Annabella to do so.

Gottfried Reinhardt and Virginia Faulkner wrote the story, and Samuel Hoffenstein, the screen play; William Thiele directed it, and Edgar Selwyn produced it. In the cast are Reginald Owen, Arthur Treacher, and others.

The bedroom scene referred to makes it unsuitable for children and adolescents; adult fare. Suitability, Class B. Tempo, slow.

"The Gorilla" with the Ritz Brothers, Bela Lugosi, Lionel Atwill and Patsy Kelly

(20th Century-Fox, May 26; time, 65 min.)

This murder mystery-comedy, which was produced twice before, once in 1927 and again in 1930, is just fair program entertainment. Although the story is extremely far-fetched, it offers many opportunities for the Ritz Brothers, as three silly, frightened detectives, to provoke laughter by their antics. Patsy Kelly, too, provides many amusing moments. All the customary tricks have been employed to create an eerie atmosphere, such as sliding panels, strange disappearances, thunder and lightning, screaming, suspicious-looking characters, and so forth. The method employed in the closing scenes to expose the murderer is weak and confused; many spectators will not understand it. A mild romance has been worked into the plot:—

Lionel Atwill, receives a note informing him that he would be killed by "The Gorilla," a notorious criminal, who had murdered many persons. He engages the Ritz Brothers, private detectives, to guard him; but these are so frightened that they are of little help. Atwill's niece (Anita Louise), who had received an urgent message from her uncle to visit him, arrives with her fiancé (Edward Norris). When Atwill informs her of what was happening, she is frightened, and suspecting the sinister-looking butler (Bela Lugosi). The Ritz Brothers, by their bungling, make every one in the house nervous. When they actually come face to face with a gorilla, they are too frightened to do anything. Joseph Calleia, who professed to be a detective, aids them in their investigation. He leads them to believe that Atwill himself had used the gorilla make-up, his purpose being to kill his niece and then collect her inheritance. Eventually Harry Ritz proves that there had been loose in the house, a real gorilla, and that Calleia himself was the murderer. Atwill, who was head of an insurance company that had suffered losses because of the murders, then explains that the whole thing had been arranged so as to trap Calleia.

The plot was adapted from the play by Ralph Spence. Rian James and Sid Silvers wrote the screen play, Allan Dwan directed it, and Harry Joe Brown produced it. In the cast are Wally Vernon, Paul Harvey, Art Miles, and others.

Children may be frightened. Suitable for adolescents and adults. Class B. Tempo fast.

"Gracie Allen Murder Case" with Gracie Allen, Kent Taylor and Warren William

(Paramount, June 2; time, 75 min.)

This is a very good comedy-mystery murder melodrama. Considering the fact that Gracie Allen plays her usual nitwit role, it is amazing that some semblance of seriousness could be maintained. Not only are her antics extremely comical, but the story itself is interesting. She is at her best here, particularly in the second half, when she decides to help "Philo Vance" solve a murder case. The situation in which she looks into a mirror and imagines her own reflection to be that of some one else, probably the mystery woman in the case, should provoke hearty laughter. But most comical are the things she says; these tend to incriminate innocent persons in the crime. The last scene, which shows her shaking hands with two men and getting all mixed up, is so comical, that spectators will leave the theatre roaring:—

Miss Allen, the silly niece of Jed Prouty, meets her uncle's perfume factory employees at a picnic; she is attracted to Kent Taylor, who purposely pays attention to her in order to arouse the jealousy of Ellen Drew. But he regrets his act, for Miss Allen soon has him involved in a murder case: thinking that he had committed the murder, she places in the hands of the police evidence to convict him, but asks them for leniency because it was the first murder Taylor had committed. The detectives get all mixed up by the things she tells them. Taylor is arrested. Warren William, famous detective, enters the case. He realizes that Taylor was innocent, and begins an investigation. He tries to keep away from Miss Allen but she follows him and insists on helping. Despite her hampering his work, he solves the case and points out the guilty persons. Taylor is released. Miss Allen is sorry when she learns that Kent loved Miss Drew.

S. S. VanDine wrote the story, and Nat Perrin, the screen play; Alfred E. Green directed it, and George Arthur produced it. In the cast are Judith Barrett, Jerome Cowan, Donald MacBride, William Demarest, and others.

Since the comedy predominates, suitability Class B. Tempo fairly fast.

"Racketeers of the Range" with George O'Brien

(RKO, May 26; time, 62 min.)

A good program western melodrama. It gives the fans the kind of excitement they like—fast horseback riding, good fist fights, and plentiful shooting. The story, although routine, holds one's attention fairly well because of the constant danger to the hero, who had undertaken to help the ranchers fight a large company's attempts to monopolize the cattle business. The heroine at first appears at a disadvantage because of her silliness in refusing to listen to reason; but she changes later. The romance is minimized:—

Realizing that a certain large corporation was trying to monopolize the cattle business, which would mean virtual ruin for the Arizona ranchers, O'Brien induces the ranchers to place their trust in him. He prevents the heroine from selling her meat-packing business to the corporation. At first she is resentful, but when she learns the facts she works with O'Brien. Gangsters engaged by the corporation try to outwit O'Brien so as to stop him from continuing with his plans to deliver cattle. But after a terrific fight, O'Brien and his men succeed with their plans and rid the territory of the gangsters. Miss Reynolds is happy, for she had fallen in love with him.

Bernard McConville wrote the story, and Oliver Drake, the screen play; D. Ross Lederman directed it, and Bert Gilroy produced it. In the cast are Chill Wills, Gay Seabrooke, Robert Fiske, Ray Whitely, and others.

Suitability, Class A. Tempo, fast.

"Grand Jury Secrets" with John Howard, Gail Patrick and Harvey Stephens

(Paramount, June 23; time, 68 min.)

A fair program melodrama. At first, the hero, a newspaper reporter, is an obnoxious character, for he stoops to cheap tricks in order to obtain scoops. For instance, he poses as a priest, thereby winning the confidence of a young prisoner who had refused to talk to the police for fear of involving his family. Moreover, he tries to make love to his brother's fiancée, an act that is distasteful to most persons. He does, however, redeem himself towards the end. The closing scenes are exciting:—

Harvey Stephens, assistant district attorney, is disgusted at the tactics used by his brother (John Howard), a newspaper reporter, to obtain scoops for his newspaper. Howard would print anything, even if by doing so he would obstruct justice. When the police arrest a young man on the charge of murdering an investment broker (Porter Hall), Howard conceives the idea of posing as a priest in order to obtain a confession from the prisoner. His plan works. But when he jokingly tells his mother (Jane Darwell) what he had done, she is so ashamed of him that she slaps him. It is then that he comes to his senses. Stephens, knowing what Howard had done, tries to force him to talk; but Howard refuses, preferring to go to prison. Being desirous of making up for his misdeeds, Howard induces his brother to release him so that he could work on the case to prove the young man's innocence. Following a hunch, Howard finally solves the case by proving that Hall had been murdered by his own partner, but the murderer traps him. Howard is saved by means of a signal he had sent out over the short wave radio. He is forgiven by all.

Maxwell Shane and Irving Reis wrote the story, and Irving Reis and Robert Yost, the screen play; James Hogan directed it. In the cast are William Frawley, John Hartley, and others.

Unsuitable for children, but satisfactory for adolescents and adults. Suitability, Class B. Tempo fairly fast.

"The Mikado" with Kenny Baker

(Universal, [1939-40 Rel.]; time, 89 min.)

A delightful, artistic presentation of the famous Gilbert and Sullivan comic operetta. There is no doubt that it will be received extremely well by the followers of Gilbert and Sullivan's works, for not only will they hear the familiar tunes, which are sung exceedingly well by a competent cast, but they will be treated to a production which far surpasses any stage version of the operetta. How the masses will accept it, however, is another question. The music is familiar to young as well as old, but there are no names of box-office value, and the action is limited, because it has been produced in the form of a stage play:—

Nanki-Poo (Kenny Baker), son of the Mikado (John Barclay), who, refusing to follow his father's orders that he marry Katisha (Constance Willis), an elderly court lady who loved him, runs away, disguised as a wandering minstrel. During his travels he meets Yum-Yum (Jean Colin), one of three sisters, wards of Ko-Ko (Martyn

Green); but to his sorrow he learns that Ko-Ko himself had arranged to marry Yum-Yum. Ko-Ko becomes Lord High Executioner of Titipu, but performs no executions. When he receives word from the Mikado that there should be a beheading, he does not know what to do. Learning that Nanki-Poo had decided to kill himself, Ko-Ko induces Nanki-Poo to let him behead him. Nanki-Poo agrees to it on one condition—that first he be permitted to marry Yum-Yum, after which he would not mind dying. Just before the marriage Katisha arrives and recognizes Nanki-Poo; she rushes to the Mikado for help. By the time the Mikado arrives, Nanki-Poo and Yum-Yum are married. Everything is adjusted when Ko-Ko, in order to save his neck, marries Katisha, even though she disgusted him. The Mikado forgives Nanki-Poo.

Geoffrey Towe adapted, conducted and produced it. Victor Schertzinger directed it. Others in the cast are Sydney Granville, Gregory Stroud, and the chorus of the D'Oyly Carte Opera Company.

Suitability, Class A.

"Code of the Secret Service" with Ronald Reagan and Rosella Towne

(First National, May 27; time, 57 min.)

A wild program melodrama, with an appeal mostly to children and to action-melodrama fans. The plot is too far-fetched for intelligent adults. Occasionally, it is somewhat exciting, due to fast action, which places the hero in danger. Eddie Foy, Jr., is fairly amusing as the hero's assistant, who gets himself into scrapes. The romance is incidental:—

Ronald Reagan, a United States Secret Service Agent, is assigned to the difficult task of tracking down a gang of clever counterfeiters. His search takes him outside of the United States. The agent (John Gallaudet) he was supposed to have contacted is killed by members of the gang, who make it appear as if Reagan, who was posing as a drunken gambler, was the guilty person, for they knew that Reagan was an agent. Reagan escapes in company with his assistant (Foy, Jr.). From bits of information he picks up, Reagan finally traces the gang to a mission house, where the leader (Moroni Olsen), disguised as a priest, traps him. Reagan is worried not about himself, but about Rosella Towne, a young girl he had met accidentally, who, too, was held captive by the gang. But again he manages to escape, this time with Miss Towne, and just in time, too, for Olsen had planted a bomb to blow up the mission with. The police arrive and arrest Olsen and one of his men; the others had been killed in the explosion.

Lee Katz and Dean Franklin wrote the screen play from material supplied by W. H. Moran. Noel Smith directed it, and Bryan Foy produced it. In the cast are Joseph King, Edgar Edwards, and others.

Since the heroism of the hero is stressed, suitability Class A. Tempo fast.

"The Girl from Mexico" with Lupe Velez and Donald Woods

(RKO, June 2; time, 71 min.)

The only thing that can be said for this comedy is that it moves along at a fairly fast pace. Aside from that, the story lacks originality and is, for the most part, silly, occasionally bordering on slapstick. Lupe Velez works hard, trying to make the best of trite material; whatever entertainment value the picture has is due to her efforts:—

Miss Velez, who had been brought to New York from Mexico by Donald Woods, advertising manager, to appear on a radio program, falls in love with Woods and resents the fact that he had a fiancée. The day before her audition, she induces Woods' uncle (Leon Errol) to show her New York sights. He takes her to a baseball game and to a wrestling match where she yells so much that she loses her voice. Consequently, she fails at the audition. In the meantime, Woods, who had fallen in love with her, dislikes to send her back home. She manages to obtain a position as a singer at a cafe to which Woods goes with a party, including a prospective customer. Woods is amazed to find Miss Velez there; and the customer is so taken by her charms that he insists that she be engaged for his program. Miss Velez uses this customer in order to arouse Woods' jealousy. The trick works. Woods and his fiancée quarrel and part; he is happy, for that leaves him free to marry Miss Velez.

Lionel Houser wrote the story, and he and Joseph A. Fields, the screen play; Leslie Goodwins directed it, and Robert Sisk produced it. In the cast are Linda Hayes, Donald MacBride, Elisabeth Risdon, Ward Bond, and others.

Suitability, Class A. Tempo, fairly fast.

officers as the chief characters. In it, the hero is framed by a subordinate officer, imaginary wrongs being the motive, and is cashiered from the army. His faithful orderly, a Hindu, takes him to his tribe, to which he is eventually inducted. Thus he is able to obtain valuable information about enemy plans, which he sends anonymously to the British. A British Intelligence man eventually discovers him and learns the truth about the frame up. The two become disguised as natives and call on the subordinate, who by this time had become commander of a fort. They offer him a bribe, and he accepts it. Thus he is exposed, and is made to sign a confession. But at that moment an enemy tribe attacks them and the three forget their differences. The subordinate saves the life of the hero, but loses his own life. The hero, rather than besmirch the dead man's name, destroys the written confession, and with it the means by which he could have exonerated himself.

Comment: It is a powerful story, directing a strong appeal to the emotions of sympathy. The hero's destroying the proof of his innocence in gratitude for his former betrayer's act of self-sacrifice cannot help touching one. There is no romance, but in all likelihood the producers will work in one.

Forecast: This story should make a picture very good in quality, with pretty good box-office results even with unknown players.

"SUSAN AND GOD," the stage play by Rachel Crothers, to be produced by Hunt Stromberg—a satirical comedy-drama, dealing with a charming, but selfish and vain woman of the world (heroine), who returns from England infected with "The Oxford Movement." Her theories about this new religion effect the reformation of her husband, a drunkard, but her devotion to this movement brings about their estrangement. She eventually realizes that real faith is an inward feeling, the kind that required no public exhibition.

Comment: The play had 288 performances. The character of the heroine is unpleasant for the most part, but it becomes sympathetic in the end. The action unfolds mostly by conversation. The play was successful chiefly because of Gertrude Lawrence's superb acting.

Forecast: The play offers to MGM opportunities for a fine picture, provided suitable alterations in plot as well as in characterizations are made. It is the type of story that directs an appeal mostly to cultured people. MGM will undoubtedly make a lavish production with it. Very good to excellent in quality.

"THUNDER AFLOAT," a story by Ralph Wheelwright, with Wallace Beery as the star—a war-time melodrama, with submarines and submarine chasers, in which the hero discovers the whereabouts of a German submarine and, by signaling an American submarine chaser, brings about its destruction. A charming romance is interwoven in the plot.

Comment: There is fast action all the way through, considerable human interest, and a chance for plentiful comedy; and, because the characters are naval officers, glamor.

Forecast: The picture should turn out either good or very good in quality, with similar box-office results if Mr. Beery should be in the cast.

"THOMAS EDISON," the biography of the inventor by H. Alan Dunn, showing the struggles of Mr. Edison from boyhood to the end of his time.

Comment: There is deep human interest in the life of Mr. Edison, in his struggles as a newsboy first, in his experiments for the perfection of the incandescent lamp, in his invention of the phonograph, and his many other inventions.

Forecast: This biography should make a good to very good picture, with similar box-office results.

"TWENTY THOUSAND LEAGUES UNDER THE SEA," a fantastic undersea adventure, the novel by Jules Verne, the famous French author, in which the submarine was first conceived in the author's imagination before any one had any idea that the day would come when the submarine would become a reality.

Comment: When the book was first published, it captured the imagination of the readers of all nations, for it was translated into almost every language that is spoken today. The school child of almost every generation has read this book since it was published. It was first produced as a picture by William Fox.

Forecast: The story material is not such as to make a picture that would appeal to the masses. In all probability

it will attract mostly children. If MGM should produce it in technicolor, it might become a fascinating spectacle even for adults.

"WINGS ON HIS BACK," a Miles Connolly story, to be produced with James Stewart—a comedy-melodrama, dealing with a barnstorming flyer, who finds romance when he rescues a girl flyer, who turns out to be the daughter of the Secretary of the Treasury.

Comment: The story material is not of such a magnitude as to make more than a program picture.

Forecast: It should make a fair to fairly good picture, with the box office performance depending on Mr. Stewart's popularity.

"WINGS OVER THE DESERT," a story by Harold Buckley—a melodrama dealing with the efforts of English aviators to suppress the uprising of Christian-hating Arab bandits, who were led by a fanatical leader. In it the hero, Commander of an air squadron, escapes from the hands of the bandits and, upon his return, finds his sweetheart married to another man, learns that the Arabs had murdered Christians, and conceives a scheme by which the Arab murderers are destroyed.

Comment: This is an action melodrama, the kind that should hold one in tense suspense. The nature of the story is, however, such as to create a bad feeling among the Asiatics. Consequently, the production of such a story is, at this time, ill-advised.

Forecast: The story should make a fairly good to good melodrama.

"WITCH IN THE WILDERNESS," a story by Desmond Holdridge, with Joan Crawford (and possibly Spencer Tracy)—an adventure melodrama, of an American party on a yacht marooned in the Amazon River, in South America.

Comment: The story is ordinary; it deals chiefly with the reactions of people who find themselves in an uncomfortable position. There is mild excitement as a result of the mutiny of the crew.

Forecast: If Spencer Tracy should be given the male leading part, there is no doubt that the story will be altered considerably. As the story now stands, it should make an ordinary picture, with the box office results heightened by the presence of two box-office stars.

"THE WOMEN," the Clare Boothe play, with Norma Shearer and Joan Crawford in the leading parts, and with Rosalind Russell, Joan Fontaine, and Ruth Hussey in the cast—a satirical comedy drama. Gossip is the main pastime of the society in which the heroine belongs, which gossip eventually touches her, too, by connecting her husband with a woman. She wants to forgive, but her supposed-friends keep on babbling, compelling her to go to Reno, where she obtains a divorce. There she meets some women and becomes so disgusted with their callousness that she resolves to become reconciled with her husband. But it is too late—he had arranged to marry another woman. It is assumed that eventually the two remarry.

Comment: The play kept going for one and one-half years. The critics did not like it but they admitted that it appealed to the masses. Considering that the story deals with women of the wealthy circle, MGM will no doubt make the picture lavish.

Forecast: The story material has the makings of a very good to excellent society drama, with similar box-office results.

"THE YEARLING," the Kimman Rawlings novel, a Florida backwoods country melodrama, with a feud interwoven in the story. A deer is shown becoming the pet of the boy-hero.

Comment: The story is for a picture of the program grade. Some sympathy is awakened for the young hero, but the feud does not give one pleasure.

Forecast: It should make a fair program picture.

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DON'T MAKE "OF MICE AND MEN," MR. ROACH!

Mr. Hal Roach
Hal Roach Studios
Hollywood, Cal.

Dear Mr. Roach:

United Artists, the distributing organization through which you are releasing your pictures, has announced to the exhibitors that you are going to produce John Steinbeck's novel, "Of Mice and Men," which was also produced on the stage, by George S. Kaufman.

As a justification for producing this novel-play, you say:

"More than 260,000 copies of the book have been sold, while the play, which ran six months in New York and won the coveted Critics' Award, is now being presented on the road from coast to coast."

In view of the fact that this letter will be read by those who are expected to buy this picture, it is no more than fair that they be given an idea of what the theme is:

"Curley, the egotistical son of a ranch boss in Central California, and a sneak, is married to Minnie, a gaudy, amorous blonde, of shady ancestry.

"The ranchers Slim, Carlson, Crooks and Candy indulge frequently in low-humor discussions.

"George, a likeable chap, and Lennie, his pal, a feeble-minded giant, obtain work in 'this tawdry atmosphere.' Through George's efforts to keep Lennie, who loved to pet soft things and strangled whatever mice he got hold of, and his puppy dog, because they were soft, from doing harm, there grew between them a strong affection.

"Curley, who was hated by the other ranchmen, is unable to hold the interest of his amorous wife. He is suspicious of every rancher and is constantly upset by her flirtations with them. But they spurn her, because they felt that her presence meant trouble.

"Minnie, unable to interest any of them, decides to leave the valley and, on the Sunday that followed the arrival of George and Lennie, she enters the hayloft of the bunkhouse for the purpose of hiding her valise, planning to leave at nightfall.

"As she was leaving the dimly-lighted barn, she is confronted by Lennie, who was lying in the hay, fondling the body of his puppy dog, which he had strangled.

"Tarrying in the hay-bin, Minnie tells him of her dissatisfaction with her husband, and Lennie, with a silly grin on his face, tells her of his love for soft things. Minnie exhibits to him her soft, flaxen hair, and taunts him to stroke it, and Lennie, as he strokes her hair, grabs her about her throat and strangles her, just as he had strangled the mice and his puppy.

"Lennie's only worry now is whether George will be angry with him. Throwing a few bits of straw over her corpse, he goes to the hills.

"The body is discovered and a posse is formed to find Lennie so as to lynch him.

"George knows of his pal's hideout and, with a feeling of loyalty for his companion, decides to defeat the ranchers' plans, and the law: Arming himself with a revolver, he finds Lennie and shoots him dead."

Suppose, Mr. Roach, that the producer who had decided to produce this story was not you but somebody else; what would you think of such a story in pictures? Judge the story objectively, and not as if you were interested in it. What part of it will, in your opinion, interest the public? What character? Minnie, the sensual woman? Curley, the sneak? Candy, the one-arm recluse, with a mangy dog as his pet? Lennie, the feeble-minded man? If Lennie, what action of his will, in your belief, please the picture-going public

most? His strangling of mice?—will mice, even if not strangled, be cheering to an audience? Lennie's strangling of his pet dog? His strangling of Minnie? Will George's character be tolerated towards the end, where he murders the unfortunate Lennie?

I know what you will say when you read these lines: you will point out to me what the New York critics have said about the play, particularly Dick Watts, of the New York *Herald Tribune*. But it has been my belief that the producers of moving pictures have, by this time, learned to distinguish between the different arts of expression. Mr. Watts was correct in his estimate of the play, because he, in judging it, had in mind that a play of this kind will be patronized by adults. And these, among the most developed mentally. Those who have enjoyed the play will no doubt enjoy the picture.

But you are producing this picture for the general public, and not for the patrons of the stage.

Mr. Roach! You must not produce this picture. If you have any regard for your own reputation, you will not produce it. If you haven't, you should at least have some regard for the industry in general. Remember that the motion picture industry has not treated you badly; you have made a comfortable living out of it. You owe something to it, then.

Mr. Roach! You must not produce this picture. Remember what happened in 1933, when Mr. Adolph Zukor produced "Sanctuary," releasing it under the title "Temple Drake," the name of the main character in William Faulkner's book. Mr. Zukor, too, disregarded the warning that was given him, and the result was a revolt of the churches.

Mr. Roach! In making this plea to you, I am prompted only by one desire—to save the industry and your own interests from the consequences of your mistake.

Don't make this picture, Mr. Roach! There are so many other subjects that you can choose from! Subjects that will bring joy instead of misery! Don't make it!

Very sincerely yours,

P. S. HARRISON.

UNITED ARTISTS FORECASTS

David Selznick Productions

"REBECCA," the best seller, by Daphne DuMaurier, to be directed by Alfred Hitchcock, ("The Lady Vanishes," "Secret Agent," and "The 39 Steps"), a society drama, in which a young orphaned girl meets in Monte Carlo a middle-aged Englishman, a widower, and falls in love with him. Although he, too, is madly in love with her, when they marry and move to his estate in England, she conceives the notion that he was still in love with his dead wife, Rebecca, until a crisis arises and she is told by her husband what a "rotter" she had been. He confesses to her that she had goaded him into murdering her, and then he made it appear as if she had drowned in her boat during a storm. The two have some heart-breaking experiences when a year later the boat is found and in it the skeleton of Rebecca, but the young wife encourages him to pretend innocence, until the coroner's jury finds that Rebecca's death was suicide.

Comment: The story material is powerful. The finding of the boat and of Rebecca's skeleton in it; the agony both husband and wife experience lest the hero be held for murder; the inquest by a coroner's jury; the heroine's presence at the hearing and her fainting—all these and other situations are powerful.

Forecast: In producing this picture, Mr. Selznick will be confronted with a serious problem—how to avoid con-
(Continued on last page)

"Wolf Call" with John Carroll and Movita*(Monogram, May 18; time, 60 min.)*

A fair program outdoor melodrama. The story is routine, offering few new angles; as a matter of fact, the ending is quite obvious. Action fans will, however, probably find it satisfactory, for there are a few good fist fights. Particularly exciting are the closing scenes, where the plotters are outwitted. John Carroll and Movita handle the formula romance pleasantly, and sing two musical numbers well:—

Guy Usher, wealthy radium mine owner, sends his play-boy son (Carroll) to Alaska to investigate conditions at the mine. Believing that the mine was worthless, as he had been told by his scheming lawyer (Holmes Herbert), Usher had used it merely as an excuse to get Carroll away from his friends, in an effort to make a man of him. Carroll meets and falls in love with Movita, whose father worked at the mine as a chemist. The chemist makes him realize that the mine could work and pay large profits; it is then that Carroll understands why the foreman (Wheeler Oakman), who was in league with the firm that wanted the mine, had acted so strangely. He tries to get in touch with his father so as to stop him from selling the mine to the rival concern; but Oakman breaks the radio set. Carroll gets off in his plane; but because it had been tampered with he crashes and is injured. Movita, a north woods padre (Peter George Lynn) and her father reach Carroll. Lynn, finding the radio intact, manages to get through to Carroll's father in time to stop the sale. Usher and Polly Ann Young, Carroll's former fiancée, arrive by plane. But Miss Young, who could see that Carroll really loved Movita, leaves. Carroll decides to remain in Alaska, to supervise the mine and to marry Movita.

The plot was adapted from the story by Jack London; Joseph West wrote the screen play, George Wagner directed it, and Paul Malvern produced it. In the cast are George Cleveland, John Kelly, John Sheehan, and others.

Suitability, Class A. Tempo, fairly fast.

"The Zero Hour" with Frieda Inescort, Otto Kruger and Don Douglas*(Republic, May 26; time, 65 min.)*

This human-interest drama is pretty good entertainment; it should direct a strong appeal to women. In addition to an interesting story, it has good production values, intelligent direction, and capable acting. One is at all times in sympathy with the leading characters, whose actions are commendable. The closing scenes, showing the hero killing himself in order to insure the heroine's happiness, may prove depressing to some, but, from a dramatic standpoint, it was the only logical conclusion. Several of the situations stir one's emotions. A light touch is provided by J. M. Kerrigan, as the hero's valet:—

Through the capable coaching of Otto Kruger, a famous actor-manager, Frieda Inescort becomes a fine actress. She and Kruger decide, after the opening night of their new play, to drive to a small town to be married. While on the road, Kruger discovers that he was out of gasoline and gets out to signal a car to stop. He is knocked down by the car, suffering such an injury to his spine that he is crippled for life. Miss Inescort pleads with him to marry her, but he refuses; she vows never to leave him. For nine years, Miss Inescort is a devoted friend, knowing that Kruger's happiness revolved around her. Being lonesome, she decides to adopt a child; her choice is little Ann Todd. She is heart-broken when she learns that Don Douglas, a widower, had entered his application for Ann before she had. The child brings her together with Douglas and in a short time they fall in love. Kruger, fearing that he might lose Miss Inescort, finally agrees to marry her. But after a visit from Douglas, Kruger, realizing he was ruining Miss Inescort's chances for happiness, kills himself.

Garrett Fort wrote the original screen play; Sidney Salkow directed it, and Sol C. Siegel produced it. In the cast are Adrienne Ames, Jane Darwell, Leonard Carey, Sarah Padden, and others.

Because of the suicide theme, exhibitors who cater to Catholic audiences may find it unsuitable for their needs. Otherwise, suitability, Class A. Tempo, somewhat slow.

"They Asked For It" with William Lundigan and Joy Hodges*(Universal, May 26; time, 61 min.)*

A fair program melodrama, with comedy. The plot offers a slightly novel twist, and holds one's attention fairly well, since it keeps one guessing as to how the murder had been committed and who had committed it. There are occasional comedy bits resulting from the antics of small-town characters. The romance is incidental:—

Three friends—William Lundigan, publisher of a small-town newspaper, Michael Whalen, a lawyer, and Thomas Beck, a doctor—having graduated from college at the same time, settle in a small town. Each one has a difficult time earning a living. Lundigan receives news of the death of a certain farmer who had been known to drink too much, and he and his two friends go out to the farm to offer condolences to Isabel Jewell, the dead man's daughter. An idea strikes them—why not print a story hinting that the man had been murdered? In that way they could create interest in themselves. Their scheme works; but they are shocked to learn that the man had actually been murdered. Lyle Talbot, a shady character, tells them that Miss Jewell had killed her father. This news creates much excitement. Again the three friends are doomed to disappointment when they learn that Miss Jewell had lied, her purpose being to get publicity for herself. Realizing that exposure of the hoax would be to their detriment, they set out to solve the case. They discover that the victim had rented his barn to gangsters as a hiding place for stolen silks, and that, when he had demanded more money, the gangsters had killed him. The guilty persons are caught. The three friends settle back to the old routine, except that Lundigan decides to marry his assistant (Joy Hodges).

Lester Fuller wrote the story, and Arthur H. Horman, the screen play; Frank McDonald directed it, and Max Golden produced it. In the cast are Spencer Charters, and others.

Suitable for adolescents and adults, but not for children. Class B. Tempo, somewhat fast.

"The Jones Family in Hollywood" with Jed Prouty and Spring Byington*(20th Century-Fox, June 2; time, 59½ min.)*

This is somewhat of a let-down in the "Jones Family" series. The comedy is forced, and the action is slightly tiresome. It may, however, go over because of the Hollywood atmosphere and of the studio scenes, which show the making of pictures. The members of the family, with the exception of June Carlson, are less in the limelight than heretofore. As a matter of fact, most of the laughter is provoked by a newcomer to the series, William Tracy, who plays the part of an egotistical young motion picture star. The closing scenes, in which Jed Prouty becomes involved innocently with a young actress, are fairly amusing:—

When Jed Prouty is informed that he had been chosen to represent his hometown American Legion post at the convention in Hollywood, he is quite excited. Knowing that Prouty could not afford train fare for them all, the family decide to buy a trailer and travel that way; Prouty reluctantly agrees to their plan. June accidentally meets Wm. Tracy, a motion picture star. When he invites her to visit the studio, she arrives accompanied by her family; this annoys him. Eager to make an impression on her, he arranges a screen test for her. The test is a dismal failure, but June and her family are not aware of it, until June overhears Tracy telling some other girl what he thought of her. She then begs her mother to take her back home. Prouty, in an effort to help his son, who had become involved with a young screen actress he wanted to marry, goes to see the girl. His wife and mother find him there and misunderstand; but he finally convinces them of his innocence. They are happy to leave for home.

Joseph Hoffman and Buster Keaton wrote the story, and Harold Tarshis, the screen play; Malcolm St. Clair directed it, and John Stone produced it. In the cast are Ken Howell, George Ernest, Florence Roberts, Billy Mahan, June Gale, and others.

Suitability, Class A. Tempo, somewhat fast.

"Undercover Doctor" with J. Carrol Naish, Lloyd Nolan and Janice Logan

(Paramount, June 9; time, 66 min.)

A fair program gangster melodrama. It is not particularly edifying for young folk, since the leading character, a doctor, disregards the ethics of his profession in an effort to become wealthy. One cannot, therefore, be in sympathy with him when he is finally trapped by the law. As in most gangster pictures, the story lacks human appeal, since there is not a character that the spectator is particularly interested in. Where gangster pictures are liked, it should, however, go over, for it has a fair amount of excitement, particularly in the closing scenes, where the gangsters are finally trapped:—

J. Carrol Naish, an impoverished small-town doctor, is forced to treat a man with a gun wound. Broderick Crawford, the gangster leader, insists on Naish's taking a large fee. When Naish returns to his office, his first impulse is to call the police. But he changes his mind, deciding to use the money so as to open an office in a good neighborhood in the city. He continues secretly to treat gangsters, and becomes wealthy. At a hospital one day he meets Janice Logan, who had formerly worked for him, and insists that she return to his office. Since she, unknown to him, loved him, she agrees. But she soon finds out what Naish was doing and pleads with him to give it up. He decides to do so until he finds out that, unless he could raise \$25,000 to cover his stock market manipulations, he would lose everything, including his society fiancée (Heather Angel); he then agrees to one more job, demanding \$25,000 for it. But Miss Logan, who had become acquainted with G-man Lloyd Nolan, notifies him, without identifying herself, where he could find the gangster whom Nolan had treated. The G-men arrive there in time to capture the injured man, but the others escape. Nolan, who had become suspicious of Naish and had investigated him, works out a scheme whereby he traps Naish, Crawford, and the others. Naish gives himself up, thankful that it was all over. Nolan comforts Miss Logan.

Edgar J. Hoover wrote the story, and Horace McCoy and William R. Lipman, the screen play; Louis King directed it.

Unsuitable for children and even for adolescents; best suited for adults. Class B. Tempo, pretty fast.

"Unmarried" with Helen Twelvetrees and Buck Jones

(Paramount, May 26; time, 66 min.)

Just a mild program entertainment with some human interest and comedy; it was made once before, in 1932, under the title "Lady and Gent." It is doubtful if the Buck Jones fans will enjoy seeing him in a story of this type as much as in westerns, for it lacks the pace and excitement of the outdoor melodrama. Human interest is aroused by the sacrifices hero and heroine make for the sake of a young boy they had undertaken to care for. Most of the laughter is provoked by the bickering between hero and heroine. Although they are shown living together without the benefit of matrimony, this point has been handled discreetly:—

Jones, a prizefighter, loses an important bout because of drink. Robert Armstrong, his manager, having lost everything on the fight and desperately in need of money, tries to rob a safe; he is killed by the watchman. Helen Twelvetrees, Jones' sweetheart, had always been suspicious of Armstrong. When she finds a telegram in his pocket signed "Ted," arranging an appointment to meet at a certain house in a small town, she insists on accompanying Jones there to find out what it was all about. To their surprise "Ted" turns out to be Armstrong's young son. Miss Twelvetrees agrees to stay for a short time to take care of the boy, but it turns into years, during which Jones works hard, fighting on the side, in order to earn enough money to send the boy through college. When he hears that the boy intended leaving college to become a fighter, he quarrels with him and they fight; the boy knocks him down. Sorry for what he had done, and realizing that they had sacrificed themselves for him; he apologizes, promising to finish his college course. He pleads with them to legally adopt him. So they are compelled to marry in order to do so.

Grover Jones and William S. McNutt wrote the story, and Lillie Hayward and Brian Marlow, the screen play; Kurt Neumann directed it. In the cast are John Hartley, Donald O'Connor, Sidney Blackmer, Larry Crabbe, and Edward Pawley.

Unsuitable for children; all right for adolescents and adults. Class B. Tempo, just fairly fast.

"Invitation to Happiness" with Irene Dunne and Fred MacMurray

(Paramount, June 16; time, 99 min.)

Just a fair romantic drama, with prizefighting as the background. There is nothing unusual about the story, which is developed in a ponderous style; and the action is somewhat slow. Not until the last two reels does anything happen to touch one's emotions. But in those two reels there are a few situations that bring tears; these are caused by father love. Men will be thrilled by the fight in the closing scenes, because of the realistic manner in which it has been presented. Since the story starts in 1927, the characters wear clothes appropriate for that period; but the styles are not particularly becoming to Miss Dunne, who appears to advantage only when she starts wearing modern clothes. The romance is fairly appealing:—

Miss Dunne learns that her millionaire father (William Collier, Sr.) intended to buy a half-interest in a fighter (Fred MacMurray); she is so annoyed that she insists on accompanying him when he goes to close the deal with the fighter's manager (Charles Ruggles). Once she sees MacMurray, she is glad to make the deal. She falls in love with him. MacMurray, realizing that they were far apart socially, tries to resist her; he warns her that she was letting herself in for trouble. They marry, and MacMurray moves to her home. He makes her understand that he had to continue with his profession, for he had set his goal at becoming champion. He is compelled to be away from her for long periods, and is not even present when their son is born. After ten years, MacMurray gets his chance to fight the champion. Just at that time he realizes that his son (Billy Cook) did not love him. After a quarrel Miss Dunne decides to divorce him. The court awards Billy to his father for six months, then to his mother for six months, after which time the boy was to choose the one he would stay with permanently. Afraid that if he went away to training camp, leaving Billy in the city, he might lose his chance to win the love of his son, on whom he centered all his attention, MacMurray decides to train in the city. His one desire was to win the fight, so as to make Billy proud of him. But he loses. This, however, brings him together with his wife and son.

Mark Jerome wrote the story, and Claude Binyon, the screen play; Wesley Ruggles directed and produced it. In the cast are Marion Martin, Oscar O'Shea, Eddie Hogan, and others.

Suitability, Class A. Tempo, somewhat slow.

"Charlie Chan in Reno" with Sidney Toler, Ricardo Cortez and Phyllis Brooks

(20th Century-Fox, June 16; time, 70 min.)

A fair murder-mystery melodrama, with comedy. The plot is developed according to formula, placing several characters under suspicion. Murder-mystery fans will probably enjoy it, since the murderer's identity is not revealed until the end; they are thus given an opportunity to work out the case for themselves. Sidney Toler handles the "Charlie Chan" part with more ease, provoking laughter by his witticisms. Comedy is provoked also by Sen Yung, as Chan's number two son, who gets himself into many embarrassing situations because of his efforts to help his father:—

When Pauline Moore, who had gone to Reno to divorce her husband (Kane Richmond), is arrested for the murder of Louise Henry, her rival, Richmond feels conscience-stricken and pleads with Toler to handle the case. Toler finds out that there were several persons who had reasons to kill Miss Henry—Kay Linaker, whose husband had left her for Miss Henry; Ricardo Cortez, a doctor, who had withheld evidence about the real cause of the death of one of Miss Henry's husbands; Phyllis Brooks, who loved Cortez and wanted to protect him, and a young man, who had been led to believe that Miss Henry loved him. But all the evidence points to Miss Moore, and the Sheriff (Slim Summerville) insists that the case was solved as far as he was concerned. Toler, with the help of his son, finally proves that the murder had been committed by Miss Brooks; she gives herself up. Miss Moore and Richmond are reconciled.

Philip Wylie wrote the story, and Frances Hyland, Albert Ray, and Robert E. Kent, the screen play; Norman Foster directed it. In the cast are Eddie Collins, and others.

Not for children; suitable for adolescents and adults. Class B. Tempo, fairly fast.

doning murder; for the hero, after all, commits a murder, no matter how justified he may have been. In all probability some alteration in that part of the plot will be made, perhaps presenting Rebecca as really meeting either deliberately or accidental death by drowning, and the innocent hero being accused for her murder. Perhaps the death should be accidental, so as to avoid giving offense to some religions, which consider suicide a mortal sin. With the care Mr. Selznick gives his productions, there should not be in any exhibitor's mind the least doubt that he will give the right solution to this problem. Consequently, the picture should turn out excellent in quality as well as box office performance.

Alexander Korda Productions

"FOUR FEATHERS," a war melodrama to be produced in technicolor, in England, with Ralph Richardson ("The Citadel"), John Clemens ("Knight Without Armor"), and C. Aubrey Smith, to be directed by Zoltan Korda ("Drums" and "Elephant Boy"). The story deals with the hero, one of four close friends and companions, who, being afraid of war, resigns from the Army when his regiment is ordered to Sudan. Dubbed a coward, he receives from each of his three friends and from his sweetheart a white feather. This wounds his feelings so deeply that he determines to reclaim himself and return the four feathers. He goes to Egypt, disguises himself as a native, and is thus able to render not only to his friends, but also to the British, particularly at the battle of Oudman, a great service. He thus re-establishes himself.

Comment: Paramount produced this story in 1929, but it did not turn out a good entertainment, chiefly because sound at that time was in its infancy. There is fast action, and the hero's part, as altered, full of human interest. One is in sympathy with the hero's efforts to reclaim himself.

Forecast: Mr. Korda will, no doubt, produce this picture on a large scale; hence his decision to produce it in natural colors. Such being the case, the picture should turn out either very good or excellent entertainment, with good to very good box office results.

"OVER THE MOON," a romance, by Robert E. Sherwood, to be produced in technicolor, with Merle Oberon ("Wuthering Heights"), and Rex Harrison ("The Citadel"), in the leading parts, to be directed by Thornton Freeland ("Whoopee," and "Flying Down to Rio"). In it, Rex, a young doctor, breaks with Merle when he discovers that her grandfather's will had made her the richest girl in England. Surrounded by parasites, Merle visits several places in the Mediterranean, but in the end she finds out how worthless these were and how worthy Rex; they become reconciled and return to the English countryside.

Comment: The story is very thin. Miss Oberon is the only player who means something to the box office here. The technicolor scenes will, no doubt, be beautiful. Perhaps some gorgeous dresses will be worn by Miss Oberon.

Forecast: The picture should turn out fairly good, with fairly good to good results at the box office.

"THE THIEF OF BAGDAD," with Sabu ("Elephant Boy" and "Drums"), and Conrad Veidt. According to the information given to this office by the United Artists home office, this story will start where Douglas Fairbanks' silent "Thief of Bagdad" (1924) left off. "Sabu," the synopsis says, "will perform magnificent and astounding feats of magic. There will be armies of white Arabian horses springing out of the ground, Blue Cities and Red Cities; slaves imprisoned in bottles, ballets of magnificent dancing girls, flying Ebony horses, birds that carry men in their claws and a thousand other features. . . ."

Comment: The story is, like the old one, fantastic, but it will have many new features. Perhaps it will be more interesting than the old version.

Forecast: The silent version did not go over at the box office, but the exhibitor must bear in mind that the present picture has two features that the old version lacked—sound and color. With color, the spectacular scenes could be made a treat to the eye. There is no doubt that, if Mr. Korda carries out his plans and produces it on a large scale, the picture should turn out enchanting, and may perform at the box office very well, or even excellently.

Samuel Goldwyn Productions

"MUSIC SCHOOL," with Jascha Heifetz, Andrea Leeds, Joel McCrea, Walter Brennan and Gene Reynolds, to be directed by Archie Mayo. A human interest story, centering mainly around some East Side youngsters, one of whom (Gene Reynolds) has a talent for music, supposedly inherited from his father. Mr. Heifetz comes into the story

to help save the Music School, in the settlement, in which school penniless prodigies were trained by Walter Brennan purely for the love of the pursuit, with the hope that, from among them, some one, some day, might rise to repay, spiritually, the professor's labors. The interest of Heifetz had been enlisted by Gene.

Comment: There is "loads" of human appeal in this story, and naturally chances for all types of enchanting music. The part of Gene Reynolds awakens warm sympathy. Mr. Heifetz, too, wins one's sympathy by his coming to the rescue of the settlement music school, which was about to go on the rocks. The action is fast all the way through.

Forecast: The picture should turn out excellent in quality. As to its box office performance, this will, of course, depend on how the public will receive Mr. Heifetz in pictures. In concert work, he is one of the most popular men the world over. But the picture should take very well even without Mr. Heifetz; so good is the story material and so charming will, no doubt, be the music. Andrea Leeds and Joel McCrea should help the picture to draw.

"THE REAL GLORY," a war melodrama unfolding in the Philippines at Fort Myszang, Mindanao, immediately after the occupation by American troops at the close of the Spanish-American War, with Gary Cooper, Andrea Leeds, David Niven and Donald Crisp, to be directed by Henry Hathaway ("Bengal Lancer," "Spawn of the North," "Trail of the Lonesome Pine"). It is the story of the bravery of American officers and of native constabulary, who eventually succeed in subduing a native revolt, which was led by Alipang (character name), and in which Alipang is killed.

Comment: Being a war melodrama, the action is naturally fast. The incidents include a cholera epidemic, an incident that is not so pleasant in pictures. But an exception has to be made in this instance because the picture is to be produced by Samuel Goldwyn—he seems to be the only producer who can get away with a cholera epidemic in a picture ("Arrowsmith"). There are many thrilling episodes. These, Mr. Hathaway will, no doubt, take advantage of, for he is thoroughly familiar with the production of action pictures.

Forecast: The picture should turn out very good in quality, with similar box-office results.

Walter Wanger Productions

"WINTER CARNIVAL," with Ann Sheridan ("Dodge City," "Angels With Dirty Faces," "Alcatraz Island"), Richard Carlson ("The Young in Heart"), and Helen Parrish ("Three Smart Girls Grow Up"), to be directed by Charles Reisner. It is a college romance, with Dartmouth College as the background, photographed during the Winter Carnival at that College, with the cooperation of the College authorities, the Dartmouth Outing Club, and the *Daily Dartmouth*.

Comment: The main characteristics of this story are youthfulness and fast action. So far as human interest is concerned, there is very little of it. The only situation where the emotions of sympathy are stirred is where a son finds out that his father was on W.P.A. relief and, realizing how much he was sacrificing to get him a college education, tells his father that he was going to quit college.

Forecast: The picture should turn out either good or very good in quality, with similar box office results.

(To be concluded next week)

NEELY BILL MAKES PROGRESS

The opponents of the Neely Bill must have received a shock when they learned that the Bill was taken out of the Sub-Committee's hands and placed into the full Committee's, and on Wednesday the full Committee reported it favorably by an overwhelming majority, 15 to 3.

It was on Saturday, May 27, that Senator Neely goaded Senator Barkley, majority leader, into giving him an assurance that action on the Bill would be taken this week. But he received that assurance only after he gave Senator Barkley perhaps one of the sharpest tongue-lashings that he had ever received as a Senator. He practically accused him of delaying a report on the Bill deliberately.

Senator Neely gave some tongue-lashing also to Senator Wheeler, of Montana, Chairman of the Committee on Interstate Commerce, which has charge of the Bill. Senator Wheeler finally agreed to have the Bill voted out Wednesday, this week, on condition that Senator Neely withdraw a motion to discharge the committee. Senator Neely complied.

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THE ALLIED CONVENTION IN MINNEAPOLIS

The day on which this issue will come off the press and will be mailed (Wednesday), the Allied Convention at the Nicollet Hotel in Minneapolis will be in full swing.

As predicted, the attendance is going to be the greatest of any national exhibitor convention in the entire history of the motion picture industry, not even the Cleveland Convention in 1920, at which time M.P.T.O.A. was formed, excepted. All rooms at the Nicollet Hotel were reserved as early as the first part of the week beginning May 28, and subsequent reservations were switched to the Radisson Hotel.

Some of the M.P.T.O.A. leaders, after promising to attend, reneged; they notified Al Steffes that they would not attend. Manifestly they feared to face bona-fide independent exhibitors of the rank and file, and debate the issues in the open, even though they knew that, with Al Steffes as the chairman of the convention committee, they would receive the highest consideration and the best treatment that they have ever received at exhibitor conventions.

What took place behind the scenes to make them go back on their word may not be known for some time, but if whoever suggested the withdrawal felt that their absence would make the convention less successful, he will find out how wrong he was in his calculations, for the convention is going to prove highly successful just the same. It will be more in the nature of an industry convention than of an exhibitor convention. And if the M.P.T.O.A. leaders should be absent, the loss will be theirs, not Allied's.

HARRISON'S REPORTS suggests to the M.P.T.O.A. leaders that, if they consider themselves an integral part of the motion picture industry, they drop everything they may be doing and fly to the convention at Minneapolis.

Whatever important decisions are made at the convention will be discussed fully in next week's issue of this paper.

DUAL BILLS NOT A MATTER OF BELIEF

At the first session of the Columbia sales convention, which was held at Atlantic City early in May, Mr. Abe Montague, general sales manager, upheld the dual bills, stating that, in this question, the exhibitors are guided, not by personal likes or dislikes, but by the preferences of their patrons. Mr. Montague is right.

I doubt whether there could be found in this country a single exhibitor who would resort to dual bills if he could make a profit with single-feature bills.

The double-feature program is a matter of necessity with those who have resorted to them. When they see their receipts vanish because the major circuits do not let them have the films until after the public had forgotten about them; or, when a circuit gives such stage presentations as to make it impossible for an independent exhibitor to compete with them, then there is only one way out for him—a double-feature bill. If his first double-feature program draws patrons into his theatre and subsequent similar bills repeat the success, nothing can stop that exhibitor from going into double features permanently.

The double feature bill serves one other worthy purpose—to keep the independent producers in business. Columbia, Universal, Republic, and Monogram, and even RKO, could not have survived without the dual bill policy of thousands of theatres, for thus a shortage of film is created, causing a demand also for their "B" films.

There is only one way to cure the double-feature evil: the major companies should desist from making "B" films, confining their efforts to producing only grade "A" pictures, to be sold on merit.

THE PRODUCER HIGH-PRESSURE PROPAGANDA

Evidently the major companies are frightened to death because of the Government suit, and have engaged one of the most astute publicity men in the United States to gain the public's good will for them. His name is Steve Hannagan, publicity man for "big shots" in other industries.

The first release that has come to my attention from this publicity man was two weeks ago; it dealt with the efforts of the majors to compel the Government to give more detailed particulars in the Federal anti-trust suit pending in New York.

Mr. Hannagan says:

"The defendants' counsel asked:

"First, an order from the court directing the government to comply with the court's decision of March 7 by furnishing 'a further and more definite and adequate statement and bill of particulars.' Defendants claimed the government had not answered adequately many of the questions the court had ordered to be answered.

"Second: for an order, in the alternative, 'striking the petition for failure to comply with said decision.'

"Third: for an order for additional particulars which already had been granted to Columbia and United Artists.

"Fourth: for an order extending the time of the defendants to answer until 60 days after service of a further bill of particulars. Defense counsel argued this was necessary because of the extremely long period (from 1918 to the present) covered in the government's original bill of particulars."

This is only the beginning. It will be interesting to watch Steve, and see some of his clever methods of swaying public opinion. From time to time, in these columns, I shall keep you advised of his activities.

PARENTS TEACHERS ASSOCIATION FOLLOWS THROUGH ON NEELY BILL

Mrs. Mary T. Bannerman, National Chairman of the Committee on Legislation of Parents Teachers Association, is not resting on the laurels of our common success in having the Neely Bill reported favorably by the Senate Committee on Interstate Commerce by an overwhelming majority; she is keeping busy in her efforts to have the Bill passed by the Senate.

By a postal card dated June 1, she urges friends of the Bill to write to their U. S. Senators requesting them to give the Bill their greatest support.

If the Bill should ever become a law, the independent exhibitors of this country will owe Mrs. Bannerman a great debt.

UNITED ARTISTS FORECASTS Walter Wanger Productions

(Continued from last week's issue)

"THE HOUSE ACROSS THE BAY," a story by Myles Connolly, with Joan Bennett, to be directed by Archie Mayo. It is the story of a beautiful young girl who is wooed by a mysterious man, falls in love with him and marries him. All goes well—Florida, New York, Chicago—with winning and dining, until she finds out that, not only was there against him a Federal charge for tax evasion, but also his life was in danger, because of his past shady connections with corrupt politicians. Feeling that if he were to

(Continued on last page)

"The Sun Never Sets" with Douglas Fairbanks, Jr. and Basil Rathbone

(Universal, June 9; time, 96 min.)

Although this is just fair entertainment, it may do well at the box-office because of the popularity of the two leading players. The story, which is a rather wild melodrama, is tar-tetched. For instance, one is supposed to take seriously the idea that a man, by means of broadcasting from a remote section on the African Gold Coast, could cause riots in nations throughout the world and foment war between these nations. The picture should direct its appeal mostly to those who enjoy somewhat fantastic melodramas; but intelligent audiences will find it slightly silly. Since the background, atmosphere, and manners are definitely British, the picture is further limited in its appeal to Americans. There are two romances:—

Douglas Fairbanks, Jr., and his brother (Basil Rathbone), both connected with the British Diplomatic Service, leave for the African gold coast to investigate the actions of a scientist (Basil Rathbone), a suspicious character. Rathbone's wife (Barbara O'Neil) insists on accompanying them, even though she was expecting a child. Fairbanks refuses to marry his sweetheart (Virginia Fields) until he would return. Having received a message from one of his assistants, who was being held captive by Atwill's men, Rathbone is compelled to leave his wife on the very night she was expecting her baby. During his absence, Atwill calls on Fairbanks, who knew nothing about him. Atwill convinces him that he ought to call his brother back. Fairbanks, frantic with worry over Miss O'Neil's condition, sends a messenger after Atwill with false information, which brings Rathbone back. The blunder later brings disgrace to Rathbone, who refuses to involve his brother. Fairbanks later redeems himself by discovering the whereabouts of the radio station used by Atwill to broadcast his messages. But he is captured. Rathbone receives orders to bomb the radio station. He proceeds with the work, even though he knew his brother was there. Fairbanks, however, manages to escape; the others are killed. Fairbanks and Rathbone are congratulated for their good work and are promoted. Fairbanks marries Miss Fields.

Jerry Horwin and Arthur Fitz-Richard wrote the story, and W. P. Lipscomb, the screen play; Rowland V. Lee directed and produced it. In the cast are C. Aubrey Smith, Melville Cooper, Theodore VonElitz, Mary Forbes, and others.

Suitability, Class A. Tempo, pretty fast.

"Goodbye Mr. Chips" with Robert Donat

(MGM, Rel. date not set; time, 113 min.)

This British-made picture is a charming, sentimental drama of an English schoolmaster. It has human appeal, loveable characterizations, and delightful comedy. In addition, the performances are superb. Intelligent audiences will welcome it as a change from the gangster and "smart-alecky" pictures, for it dedicates itself to glorifying the ordinary man in his everyday life. The action is slow-paced but that is exactly in keeping with the story, which required just such a tempo. Only a small part of the action is devoted to the romance, but so tenderly is it portrayed that it leaves an indelible impression on the spectator. The story is told in flashback:—

Mr. Chips (Robert Donat) starts teaching at Brookfield School at a young age. His shyness and strict adherence to rules make him unpopular with the boys, and so he leads a lonely life. He goes on that way until he is middle-aged. Then, on a walking trip with a friend, he meets Katherine (Greer Garson), a beautiful, intelligent young woman; they fall deeply in love and marry. Upon her arrival at the school, Katherine immediately charms every one, particularly the students. Under her guidance, Chips changes, developing into a loveable personality; in a short time he is worshipped by all the boys. He is overjoyed when he is informed that he had been appointed housemaster. But he receives a severe shock when Katherine dies in childbirth; the baby, too, dies. He goes on, however, remembering all that Katherine had told him. Although he had retired because of old age, he agrees, during the World War, to return as headmaster. He is filled with sorrow when some of his old pupils are killed at the front. At the age of 81, just before dying, he expresses thankfulness for the full life he had lived and for the joy he had known in his profession.

The plot was adapted from the novel by James Hilton. R. C. Sherrieff, Claudine West, and Eric Machwitz wrote the screen play; Sam Wood directed it, and Victor Saville produced it. In the cast are Terry Kilburn, John Mills, Paul VonHernried, Judith Furse, Lyn Harding, Milton Rosmer, and others.

Class A.

"Climbing High" with Jessie Matthews and Michael Redgrave

(20th Century-Fox—Gaumont-B., Apr. 26; time, 71 min.)

Just a moderately entertaining comedy; it was produced in England. The surprising thing about it is that Jessie Matthews neither sings nor dances; despite the fact that she handles the comedy part well, spectators who have learned to enjoy her talents as a singer and dancer may resent the omission. The story is rather silly, and the dialogue and situations at times risqué. There is one situation that is extremely suggestive. It shows Miss Matthews, who had been called to a certain address by a friend, entering the premises and becoming frightened when she sees men and women, partly dressed, walking around the house. She was unaware of the fact that the place was an advertising agency and the men and women models. An effort is made to provoke laughter by introducing a lunatic in some of the situations but the results are more harrowing than amusing. The romance is pleasant:—

Miss Matthews, a model, falls in love with Michael Redgrave, without knowing that he was a wealthy society man. He uses another name, and poses as a poor working man; in order to be near Miss Matthews he takes a position as model with her firm. In the meantime, Margaret Vyner, a scheming, impoverished society girl, tries to force Redgrave to marry her. When he proves reluctant to do so, she pretends to be very ill, and Redgrave, worried about her health, refrains from telling her of his love for Miss Matthews. But one day he finds her posing when she was supposed to be too ill to see him; he denounces her and tells her, in Miss Matthews' presence, that he intended marrying Miss Matthews. But she feels hurt at having been fooled, and refuses to see him. When her brother (Torin Thatcher) arrives from Canada and hears the story, he is determined to teach Redgrave a lesson. He follows him to Switzerland. Miss Matthews, worried about what he might do, rushes after him. Eventually they all meet at the top of a mountain where their differences are ironed out.

Lesser Samuels and Marion Dix wrote the story, and Lesser Samuels, the screen play; Carol Reed directed it. In the cast are Noel Madison, Alistair Sim, Francis L. Sullivan, and others.

The situation commented upon makes it unsuitable for children or adolescents. Adult fare. Class B. Tempo, fairly fast.

"Young Mr. Lincoln" with Henry Fonda

(20th Century-Fox, June 9; time, 101 min.)

Very good entertainment. The story starts in the year 1832 and traces just a few years in Abraham Lincoln's career, when, as a young man, he started out to practice law; his two romances are just hinted at. Here he is presented as the shy but humorous, somewhat gawky young man, who was liked by his neighbors because of his physical prowess, his ability to tell amusing stories, and his kindness towards all. The story does not, however, concentrate entirely on Lincoln; it takes in other characters, too, and gives a realistic picture of life on the Midwestern frontier at that time. The courtroom scenes are the highlight of the picture; there young Lincoln defends two young men who had been accused of murdering a Deputy Sheriff. Although at first he gives one the impression of being unable to cope with the case, he comes through brilliantly, obtaining the release of his two prisoners. There are several outstanding situations. One such situation is that in which Lincoln, by means of a clever speech, prevents the unruly mob from lynching the two young men just after they had been arrested. Another impressive situation is that in which Lincoln talks to Abigail Clay (Alice Brady), mother of the two boys, pleading with her to tell him which boy held the knife. Mrs. Clay tearfully pleads with him not to ask her, for she could not choose between her sons, since her testimony would mean that one would die and the other live. Lincoln understands her predicament and comforts her.

Henry Fonda, with the aid of excellent makeup, captures the spirit of the part and gives what is perhaps his best performance to date. He receives excellent support from a competent cast, particularly from Miss Brady.

Since this picture touches upon one phase only in Lincoln's career, it does not spoil the prospects for the Lincoln picture announced by RKO, "Abe Lincoln in Illinois."

Lamar Trotti wrote the original screen play, John Ford directed it, and Kenneth Macgowan produced it. In the cast are Marjorie Weaver, Arleen Whelan, Eddie Collins, Pauline Moore, Richard Cromwell, Donald Meek, Eddie Quillan, and others.

Class A. Although the tempo is somewhat slow, it is always engrossing.

"House of Fear" with Irene Hervey and William Gargan

(Universal, June 30; time, 65½ min.)

A good program murder mystery melodrama. Although the story is developed in the routine manner, and familiar tricks are used to create an eerie atmosphere, it holds one's interest well, because of the fact that the murderer's identity is not disclosed until the very end. In addition, it has a good sprinkling of comedy, and a pleasant romance:—

The police are puzzled over the mysterious death of an actor during the rehearsal of a play in which he was to have starred. The theatre in which the murder had occurred is closed, the owner (Alan Dinehart) having despaired of finding a tenant. William Gargan, a detective, posing as a producer, rents the theatre for the purpose of producing the play with the original cast. Irene Hervey, who was to have been the leading lady, refuses to resume her old part, but when she learns that it would mean a great deal to Harvey Stephens, the director, with whom she was in love, she agrees. The new leading man (Walter Woolf King) is killed in the same mysterious fashion as his predecessor. Since it was opening night, Gargan insists that Stephens himself take the part; he assures Miss Hervey, who was frightened, that he would give Stephens protection. The criminal is trapped just as he was attempting to kill Stephens. Everyone is amazed when he is exposed, for he was Dinehart's younger brother (Robert Coote); he had committed the first murder because his victim had found out that he had forged his name to a check. Later he had entered into a secret agreement with a syndicate that wanted to buy the property. His purpose in committing the murders was to give the theatre a bad name, thus forcing his brother to sell.

Thomas F. Fallon and Wadsworth Camp wrote the story, and Peter Milne, the screen play; Joe May directed it, and Edmund Grainger produced it. In the cast are Dorothy Arnold, El Brendel, and others.

Because of the murders it is unsuitable for children; harmless for adolescents and adults. Suitability, Class B. Tempo, fairly fast.

"The Kid From Kokomo" with Wayne Morris, May Robson, Joan Blondell and Pat O'Brien

(First National, June 24; time, 92 min.)

Just a fair program comedy, centering around prize-fighting; its appeal will be directed mostly to men. It lacks general audience appeal, for not only is the story silly, but the characters are extremely unappealing. They, with the exception of the hero, display the basest traits. And even the hero fails to win one's sympathy because of the stupidity of the character he portrays. An effort has been made to awaken human interest by showing the reformation of a slovenly old drunken woman with criminal tendencies through her association with the hero; but the manner in which it has been presented is in such poor taste that it annoys one:—

Pat O'Brien, a prizefight manager, double-crosses four gamblers by selling each of them a half-interest in his fighter (Maxie Rosenbloom). He leaves town in company with his fiancée (Joan Blondell) and his trainer (Ed Brophy). At one of his stops he finds Wayne Morris, a young farmer with a powerful punch. But Morris refuses to leave because he hoped that some day his mother, who had been gone for twenty years, would return. O'Brien and Miss Blondell promise to help Morris find his mother. When they return to the city, O'Brien picks up May Robson, a rum-soaked pickpocket, and engages her to pose as Morris' mother. The trick works; Morris is happy with his "mother" and agrees to continue fighting. Miss Robson makes merry with Morris' money. O'Brien, knowing that she would dissipate all of Morris' earnings, tells Morris the truth, but he refuses to believe it, and so O'Brien calls in Stanley Fields, a crook-pal of Miss Robson's, to identify her. But Miss Robson outwits him by introducing Fields as Morris' father. When Morris learns from gamblers that Miss Robson had given him checks for gambling debts, he promises to throw the championship fight in order to keep her out of prison. But when the champion makes cracks about his "mother" he knocks him out and wins the championship. The gamblers kidnap him. Miss Robson and Fields, who were preparing to run away with Morris' money, go to his rescue; they save him, turn back his money to him, and confess everything. Instead of turning them away, he compels them to get married and then adopts them as his parents; and he marries Jane Wymen.

Dalton Trumbo wrote the story, and Richard Macaulay and Jerry Wald, the screen play; Lew Seiler directed it,

and Sam Bischoff produced it. In the cast are Sidney Toler, Winifred Harris, Morgan Conway, Ward Bond, and others.

Not particularly edifying for children. It will do for adolescents and adults. Class B. Tempo, fairly fast.

"6,000 Enemies" with Walter Pidgeon and Rita Johnson

(MGM, June 9; time, 61 min.)

A fair program prison melodrama, suitable mostly for the action fans. As far as they are concerned, it has plentiful excitement, such as a prison break and fights; and it should hold them in suspense owing to the danger to the hero, one of the prisoners. The story is, however, so far-fetched that discriminating audiences may find it slightly ridiculous. And, although one wants to sympathize with the hero, one finds this difficult because of the indifferent way in which the part has been handled. The most sympathetic character is played by Paul Kelly, as the prison doctor, who tries to help the hero. The romance is of slight importance:—

Walter Pidgeon, District Attorney, is famous because of the number of convictions he had obtained. Rita Johnson, one of the persons he had sent to prison, is unable to convince any one that she was innocent. When Pidgeon himself is framed on a bribe charge by Harold Huber, a gangster, and is convicted and sent to prison, he realizes that innocent persons could be convicted. Kelly, the prison doctor, warns Pidgeon of his danger because of his many enemies, men he had convicted. The prisoners, led by Nat Pendleton, do everything they can to make life miserable for Pidgeon; but he overcomes their antagonism when he shows his courage in a bout with Pendleton. He manages to talk to Miss Johnson, who was at the same prison, and to get her side of the story; he promises to help her. In the meantime, his young brother (John Arledge), who had been trailing Huber and had obtained valuable information, rushes to the prison to tell Pidgeon about it. He is killed by the gangsters just as he approaches the prison entrance; but the prison guards capture the gangsters. In the excitement that follows, the prisoners start a break. Quick thinking on Pidgeon's part prevents real trouble. Eventually both he and Miss Johnson are cleared, and they marry.

Wilson Menard and Leo L. Stanley wrote the story, and Bertram Millhauser, the screen play; George B. Seitz directed it, and Lucien Hubbard produced it. In the cast are Grant Mitchell, J. M. Kerrigan, and others.

Unsuitable for children; suitable for adolescents and adults. Class B. Action, pretty fast.

"It Could Happen to You" with Stuart Erwin and Gloria Stuart

(20th Century-Fox, June 30; time, 71 min.)

Here is a picture that, despite its lack of star names, is very entertaining. It may be difficult to attract patrons to the box-office, but once in, there is no doubt that they will be entertained. It starts off delightfully, in a natural, down-to-earth manner, and then develops into a comedy-drama that holds one's interest to the very end. The writing, direction, and acting are all good:—

Gloria Stuart, married to Stuart Erwin, is unhappy because Erwin gave all his ideas to Douglas Fowley, who worked with him at an advertising agency owned by Raymond Walburn. Fowley progressed, but Erwin stayed in the same place. Miss Stuart, learning that Walburn was giving a party for his college alumni, to which Fowley had been invited, insists that Erwin attend, even though he was not invited. Erwin, by suggesting that he would stop giving Fowley ideas, induces him to take him to the party. They have a good time, get slightly tipsy, and leave for home. On the way, they stop at a cafe for a drink. After Erwin returns, Miss Stuart remembers she had left her purse in the car, and goes down to get it. She is shocked when she finds in the car a dead woman. Erwin, being innocent, calls in the police; but they arrest him on a murder charge. Miss Stuart decides to take matters into her own hands. She visits a famous lawyer who had been at the party and threatens to expose the fact that there had been chorus girls at the party unless he handled her husband's case. In the meantime, Walburn promises Erwin a promotion and increase if he would not involve him and his friends; the friends send Erwin expensive gifts. Miss Stuart and Fowley finally solve the case and help the police capture the murderer. Erwin is happy at the way things turned out.

Charles Hoffman wrote the story, and Allen Rivkin and Lou Breslow, the screen play; Alfred Werker directed it, and David Hempstead produced it. In the cast are June Gale, Richard Lane, Clarence Kolb, Paul Hurst, and others.

Because of the murder, unsuitable for children. Suitable for adolescents and adults. Class B. Tempo, fairly fast.

go to the penitentiary for a year or two for tax evasion, at least his life would be spared, she, on the advice of her husband's lawyer, gives his whereabouts away to the Federal authorities and cooperates with them in his conviction. But what a shock it is to her when he is sent to Alcatraz for ten years! By this time, the lawyer had become infatuated with her. To avoid him, she changes her name and gets a job in a cabaret as a singer. In a short time, she falls in love with the owner of the cabaret. Her husband escapes from prison and goes to the cabaret. When he sizes up the situation, he leaves. The following morning the lawyer is found dead, and his body in the river. The young wife realizes that her husband had made a sacrifice for her.

Comment: There is confusion of loyalties in this story. Can the spectator feel sympathy with a woman who will make such a blunder as to send her husband to jail for ten years, even though her motive was, from her own point of view, worthy? Even if one would condone her act, the fact that she fell in love with somebody else afterwards is enough to deprive her of what little sympathy she could get. The husband is an unsympathetic character all the way through, and in the end he commits murder and, in addition, takes his own life. The lawyer is a scoundrel. The only person who seems to be satisfactory is the cabaret owner. But his part is inconsequential.

Forecast: The story, unless the characterizations and the plot are altered, cannot make an entertaining picture. As far as its box office performance is concerned, it will depend to some extent on the popularity of the male lead.

Hal Roach Productions

"THE HOUSEKEEPER'S DAUGHTER," a story by Henderson Clarke, a comedy-melodrama, with Joan Bennett and Adolphe Menjou in the leading parts, to be directed by Mr. Roach himself: Beautiful Hilda persuades Robert Randall to rent Reverend Maxon's house in Greenwich Village, in which house her mother acted as a housekeeper. The excuse Robert gives to the Reverend is that he wanted to work on a thesis. To enable himself to pay the rent, Robert takes in as boarders three of his newspaper pals—Pete, Ed, and Deacon Ezra. Between drinks and flirtations, all four are engaged in tracking down a mysterious murderer. Before long, Robert finds himself in love with Hilda. Unfortunately, Manny, a racketeer living in the neighborhood, too, becomes infatuated with her, and plans to kidnap her. But the servant poisons Manny's coffee, Pete falls asleep with a lighted cigarette and sets the house afire, Hilda's father returns rich to claim his wife and daughter, and Robert decides to do the right thing by "our Nell" (Hilda).

Comment: It is just one of those stories that make a picture the quality of which depends mostly on the work of the screen-play writer, and, after a good script is prepared, on casting and good direction.

Forecast: In all probability this story should make a picture fairly good in quality.

"OF MICE AND MEN": This story was discussed editorially in last week's issue.

"CAPTAIN CAUTION," by Kenneth Roberts ("Northwest Passage"), a sea story unfolding at a period of time when there was no law and order on the high seas—in 1812. It deals with Dan Marvin, a sailor, who, when Captain Dorman dies, takes charge of the ship, planning to marry Corunna, the Captain's daughter, after reaching port. But they are attacked by a British brig and taken prisoners. In the British ship, Dan meets Slade, an ex-slaver, and Argandeau, a French Captain. They escape together, and they regain Corunna's ship, which she plans to sail for France against Dan's advice. Slade sells the information to the British and a few days later the ship is attacked and captured. Dan, to save lives, surrenders it. Slade makes Corunna believe that Dan had double-crossed her, and persuades her to follow him to Paris. With Corunna's help, Slade outfits a ship, but what is her dismay when she at last finds out that Slade had been working with the British! Slade attacks an American ship, but it happens to be the ship that was commanded by Dan, who, with other prisoners, had escaped and outfitted an American ship. Dan defeats Slade.

Comment: There is fast melodramatic action all the way through. Dan is a sympathetic character. If produced on a large scale, the picture should turn out also spectacular.

Forecast: The story should make a picture good to very good in quality, with the box office results depending on the leads.

"TURNABOUT," by Thorne Smith ("Topper" and

"Topper Takes a Trip"), a fantastic story dealing with a married couple (Tim and Sally) who are dissatisfied with each other: the wife thinks that the husband's job is a cinch, and the husband thinks that the wife does nothing but sleep till noon and do nothing the rest of the day. But Ram, the Egyptian ornament-god, comes to the rescue; he transfers the wife's self into the husband's body, and the husband's into the wife's body. Tim, as a woman, does the home work, and Sally, as a man, goes to the office and does Tim's work. "His" feminine voice startles the office workers, and when "he" uses the ladies' room the office is thrown into an uproar. The boys say among themselves that they had never thought that of Tim. Then comes the shock: "Tim" becomes pregnant. "He" doesn't like the idea, of course, but what can he do about it? Nine months later, Tim, with a good cigar in his mouth, has a baby. Satisfied that he had done a good job, the Egyptian god transforms both into their former selves.

Comment: Only a person who has lost all sense of proportion would think that a story such as this would make a good entertainment. It seems to be one of Hal Roach's "flights of fancy."

Forecast: No hope for this. The idea is too vulgar.

Edward Small Productions

"KIT CARSON, AVENGER," the Evelyn Wells newspaper serial that appeared in nine big-city Hearst newspapers with a circulation of ten million, with Joel McCrea, Henry Fonda, and Francis Dee. It was also dramatized on the air over 54 stations of the CBS chain, with a listening audience of 17,000,000. It is an adventure melodrama, unfolding in the days when the west was practically still a wilderness and when California was yet part of Mexico, and dealing with a historical character, a man who helped Fremont, a U. S. Army officer, explore and map a large part of the west, including Oregon and California; he helped Fremont also take over California, when that officer fought the Mexicans without the U. S. Government's authority.

Comment: The period of American history "Kit Carson, Avenger" deals with is extremely fascinating. It touches on Sutter and even President Lincoln. There is fast action all the way through, many a thrilling situation, and no little human interest.

Forecast: If Edward Small should produce this picture on a large scale, there is no reason why it should not turn out either very good or excellent in quality, with very good box-office results.

"MY SON, MY SON!" the Howard Spring best seller, dealing with the hopes of two fathers, close friends, for their sons. The son of the one father turns out good, but the son of the other turns out worthless. Tragedy is their lot when the good son (Rory) is killed by the bad son (Oliver). A year later the papers are full of a Manchester murder, which is traced to Oliver. Thus the hopes of the two fathers are shattered. Perhaps they will visit the grave of Rory in Ireland, to say "good-bye" to their sons together, and to bring back to memory the night before their sons were born, when in pride and in a little parental blindness they were telling each other what they would do with their sons.

Comment: There is deep human interest in this story. Some of the situations are heart-rending. The action keeps one interested intensely from start to finish.

Forecast: Mr. Small has an excellent piece of property in this novel, and if he should give it the proper care he should be able to make an outstanding picture with it, both in quality as well as box-office performance.

"TWO YEARS BEFORE THE MAST," an adventure sea melodrama, Henry Dana's old novel, which sold more than 1,300,000 copies in the past century, and has been translated into twenty-six languages. The hero of this story sails on *The Pilgrim*, learns to eat salt junk and hard bread, sees men slip overboard in icy waters, battles with icebergs off Cape Horn, sees men flogged so mercilessly for violating the laws of the sea that his blood runs cold, visits lands where men made free use of opium, drifts in becalmed waters under burning suns, dances at gay fiestas and, in the color-splashed ports where conquistadores once roamed the Spanish Main, makes love to laughing señoritas.

Comment: There are good possibilities in this story. There is fast action, and thrilling as well as adventurous situations, and an opportunity for heroics.

Forecast: If produced on a large scale, this story should make a very good picture, with the box office results depending to a substantial extent on the popularity of the players.

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The Code Withdrawn Before Convention Vote

The Code of trade practices, final draft of which was dated June 10, was withdrawn by the distributors at the Thursday afternoon session of the Allied convention, meeting at the Nicollet Hotel, in Minneapolis, before the convention had had a chance to vote on it. Shortly after chairman Cole had read the exhibitor negotiating committee's report rejecting it as insufficient, Mr. W. F. Rodgers, acting chairman of the distributor negotiating committee, rose and withdrew the code, stating at the same time that the distributors would refuse to confer further with Allied representatives.

Mr. Rodgers employed the word "we." This led some Allied leaders to express a doubt whether he meant all the distributors or only his company, MGM; but in view of the fact that, just prior to announcing the withdrawal of the code, Mr. Rodgers had an impromptu conference with Messrs. Sears and Montague, two distributor-members of the committee, as well as with representatives of all the distributors present, it may be taken for granted that he meant all the distributors.

Mr. Rodgers took the exhibitor committee's report as a reflection on his integrity. He worked so conscientiously and so hard to bring about a workable instrument, that its rejection wounded his feelings.

There is not an exhibitor who has come in contact with Mr. Rodgers but feels that he is a man of the highest integrity. But in a matter of this kind, in which the views are so conflicting, one should be guided, not by feelings, not by one's affection or admiration for the persons involved, but solely by the facts of the case. Does the report of the exhibitor negotiating committee contain any misstatement of facts important in determining the Code's practicability? If it does, what are they? The issues involved are too great to be determined in any other way.

Even if the Code had a fighting chance, the blunders made by its proponents killed the possibility for a favorable vote. The distributors brought into the controversy irrelevant issues, giving the exhibitors an opportunity to contravert them. The "Government regulation" bugaboo is one of them. No sooner did Ed. Kuykendall finish his tirade against the Neely Bill as being government regulation than he advocated government regulation on another subject: he urged the enlisting of the aid of the restaurant and of the radio people to induce the Government to regulate ASCAP. Besides, it is not so wise for them to decry Government regulation when they are now rushing to Secretary of Commerce Hopkins to "regulate them," as Mr. Myers put it, so as to bring an end, no doubt, to the Government's suit.

Another blow to the chances of the Code was the statement made by Gradwell Sears at the Wednesday afternoon session: he admitted that there is nothing wrong in the distributors' action in trying to get as much money for their pictures under the Code as they received last season. Mr. Yamins pinned him down so that there was no doubt in anyone's mind as to what he meant. This statement he made during a discussion in which the exhibitors accused the distributors' field forces of "chiseling": the exhibitors, particularly Mr. Steffes, accused them of telling the exhibitors that the Code would not stop them from getting as much money for their pictures as before, so as nullify the cancellation provision; also, from forcing on the exhibitors shorts, news and trailers.

It is true that Mr. Rodgers, speaking for all the distributors who have taken part in the negotiations, assured the convention that any salesman who would be found guilty of "chiseling" would be discharged at once. But the damage

had already been done; most exhibitors could not dispel their doubts as to the workability of the Code.

The announcement by Paramount that it would go into the trailer business did not help the Code either; many exhibitors have said: how can Paramount go into the trailer business when it is negotiating for a Code one of the provisions of which stipulates that the exhibitor shall not be compelled to buy trailers and other short subjects in order that he might obtain the features? They feel that Paramount can make no profit from its trailers unless its salesmen compel the exhibitors to buy them.

What contributed to hurting Mr. Rodgers' feeling was, no doubt, also Sidney Samuelson's bringing in the name of Marcus Loew. Samuelson's reference to Mr. Loew, whose memory every one in the industry reveres, was ill-thought and unnecessary; it could not contribute to solving present-day problems.

It is the belief of this paper that the lapse of a few days' time will soothe feelings, and that a resumption of negotiations will be attempted. Before any one can hope for success, however, two problems must be faced: block-booking, with its twin brother, blind-selling, and theatre divorcement; otherwise, it is unlikely that the new negotiations will succeed, not at least as long as the Government's case is on the calendar, and as long as there is hope that the Neely Bill will become a law.

THE OBJECTIONABLE PARTS OF THE CODE

It is the intention of this paper to publish, beginning today, those parts of the code that were found by the exhibitor negotiating committee objectionable; also the parts of the report dealing with them.

Let it be said at this time that the report was the unanimous decision of the negotiating committee members including the alternates; that it was approved by the Allied board of directors unanimously; that every member of the board signed the minutes approving the report and transmitting it to the convention; that, after Mr. Rodgers had withdrawn the Code and the convention indicated that it did not want to bother voting on it, the convention, on a motion by an exhibitor, approved the report of the negotiating committee by a rising vote.

The grounds on which the committee recommended the rejection of the distributor trade practice proposals were, copying from the report, the following:

"(1) They do not provide an effective remedy for the major abuses of which Allied States Association has complained and for the correction of which it has waged a long, aggressive and increasingly successful campaign; (2) the proposals as drafted and submitted by the distributors do not fully and accurately reflect the substance of the negotiations and representations made by the distributors in the course thereof; (3) reports coming from many sections of the country show convincingly if not, indeed, conclusively, that the distributors already are taking steps to circumvent and nullify the moderate concessions offered; and (4) acceptance of the proposals, particularly in view of the preamble thereto, would handicap the exhibitors in seeking further relief from oppressive and monopolistic trade practices, would hinder the Government in the prosecution of pending actions under the anti-trust laws and would supply the distributors with additional ammunition with which to combat the Neely Bill and other remedial legislation."

(To be continued next week)

"Clouds Over Europe" with Laurence Olivier, Ralph Richardson and Valerie Hobson

(Columbia, June 20; time, 78 min.)

Good entertainment for class audiences. Those who appreciate fine acting and intelligent dialogue will find this comedy-melodrama highly entertaining. But, since it was produced in England with players who, with the exception of Laurence Olivier, are not well known here, it is doubtful if it will attract the masses; furthermore, the accents are so "thick" that at times it is difficult to understand what the players are saying. The story itself offers, aside from comedy, an exciting melodramatic twist revolving around espionage. Although the action is pretty far-fetched, it is so imaginative that it holds one's attention well. Particularly thrilling are the closing scenes, in which the foreign agents are outwitted. The romance is of slight importance:—

Olivier, a pilot who worked for a large British aeroplane company, feels certain that there was something peculiar about the disappearance of two of the company's test ships. His opinion is shared by Ralph Richardson, a British secret service agent. But every one else thinks they are ridiculous. Both Olivier and Richardson are annoyed by Valerie Hobson, Richardson's sister, who tried to obtain information from them for her newspaper. Richardson discovers that George Curzon, who worked for the aeroplane company, was in the pay of the foreign agents; but before he could get any information from him, Curzon is killed. Olivier is chosen to pilot another test plane that carried an important attachment which meant much to British aviation. When the plane flies over the ocean, it meets with the same fate as the other planes; namely, the foreign agents, who were waiting in a ship nearby, incapacitate it by means of an electric ray, thereby forcing it to land. They then haul it up and make the men prisoners. In the meantime, Richardson had worked out the solution and had induced his chief to use a navy destroyer to rush to the enemies' ship. They arrive in time to save Olivier and the other men, who were putting up a good fight. Both Richardson and Olivier receive praise for their work. Miss Hobson is happy, for she and Olivier had fallen in love with each other.

Brock Williams, Jack Whittingham and Arthur Wimperis wrote the story, and Ian Dalrymple, the screen play; Tim Whelan directed it, and Irving Asher produced it. In the cast are George Merritt, Gus McNaughton, David Tree, and others.

Suitability, Class A. Tempo fast.

"Maisie" with Ann Sothorn and Robert Young

(MGM, June 23; time, 74 min.)

A fair adult comedy-drama of program grade. Neither the plot nor the characterizations are particularly appealing; as a matter of fact, the character portrayed by Ruth Hussey, is particularly offensive, for she is the cause of her husband's suicide. Ann Sothorn gives a good performance, provoking laughter by her wisecracks. But parts of the dialogue and some of the situations are suggestive:—

Ann Sothorn, a showgirl stranded in a small western town, attaches herself to Robert Young, a ranch foreman, after he had wrongfully accused her of stealing his wallet. She insists that he put her up at the ranch for the night; she promises to leave in the morning. But the next morning when the ranch owner (Ian Hunter) and his wife (Miss Hussey) arrive for a visit, she pretends to be the maid, thereby compelling Young to keep her. She tries to win Young's favor, but he, having had a sad experience with one woman, is reluctant to fall for her charms; eventually he succumbs. Miss Sothorn finds out that Hunter was unhappy because he knew that his wife was unfaithful; as a matter of fact, she finds Miss Hussey in a cabin with a man who had followed her out west. Disgusted, she decides to leave. Miss Hussey leads Young to believe that Miss Sothorn was leaving because she had tried to win Hunter and he had repulsed her. Young and Miss Sothorn quarrel and part. Hunter, having found out about his wife's lover, kills himself after first having written a letter to his lawyer. The sheriff arrests Young on a murder charge. Both Miss Sothorn and the lawyer arrive in time to clear Young. The letter indicates Hunter's intention to kill himself; in it he had also willed the ranch to Miss Sothorn. She and Young are happily united.

The plot was adapted from the novel by Wilson Collison; Mary C. McCall, Jr., wrote the screen play, Edwin L. Marin directed it, and J. Walter Ruben produced it. In the cast are Cliff Edwards, Anthony Allan, and others.

Unsuitable for children and adolescents. Adult fare. Class B. Tempo, somewhat slow.

"S-O-S, Tidal Wave" with Ralph Byrd and Kay Sutton

(Republic, June 2; time, 61 min.)

A fair program melodrama, suitable for the action fans. Although the ending is highly exaggerated, it presents a novel idea and should, therefore, hold the attention of an average audience. As a matter of fact, the picture touches on a subject that is of interest to many—that of television. It shows to what uses television may be put eventually. The angle dealing with crooked politicians and murderers is routine and somewhat unpleasant because of several murders. Romance and comedy are of minor importance:—

Ralph Byrd, popular television news commentator, refuses, despite the pleas of his good friend (George Barbier), a radio comic, to enter into political discussions during his broadcast. Barbier wanted him to denounce Ferris Taylor, a crooked politician, who was running for Mayor and who was controlled by a vicious gangster (Marc Lawrence). Byrd finally decides to do something; but, when Lawrence threatens harm to his wife (Kay Sutton) and child (Mickey Kuhn), Byrd steers clear of the subject. Barbier decides to carry on the fight himself. Byrd quarrels with his wife when she remonstrates with him; he leaves their home in anger. Barbier leaves for the studio in his car, with Miss Sutton and Mickey as his guests. A truck, hired by Lawrence, crashes into the car, killing Barbier and injuring Mickey. Byrd is enraged and decides to do something. While running off some film in which Barbier had appeared, Byrd comes upon a reel in which Barbier had given all the facts surrounding the criminal record of Taylor. He televises this. Lawrence, realizing that his candidate would lose, goes to a rival radio station, where he has a film projected by television, making it appear as if a tidal wave that had supposedly hit New York was on its way. The people become panic stricken and keep away from the polls. But Byrd uncovers the trick, quiets the citizens, and asks them to vote. Lawrence is killed by a truck. The reform candidate wins.

James Webb wrote the story, and Maxwell Shane and Gordon Kahn, the screen play; John H. Auer directed it, and Armand Schaefer produced it. In the cast are Frank Jenks, Dorothy Lee, Oscar O'Shea, and others.

The murders make it unsuitable for children. All right for adolescents and adults. Class B. Tempo, pretty fast.

"The Girl and the Gambler" with Leo Carrillo, Steffi Duna and Tim Holt

(RKO, June 16; time, 63 min.)

Just a mildly entertaining program comedy-melodrama. It was produced twice before, once by United Artists in 1928 under the title "The Dove," and then by RKO in 1932 under the title "Girl of the Rio," in which Leo Carrillo, who appears also in this version, was starred. Neither one of those pictures was unusual nor is the present one anything to rave about, for time has not helped the story much. As a matter of fact, it is pretty trite fare, slow-moving in parts and boring in others. Carrillo, as the conceited bandit, provokes some laughter; but his bragging and misuse of the English language begins to wear on one after a while. The incidental music and dancing is fair. There is some excitement in the closing scenes:—

Carrillo, a Mexican bandit who robbed the rich in order to help the poor, thinks he is a great man. Hearing from one of his men that there was a beautiful dancer (Steffi Duna) at a border cafe who spurned everyone's attentions, Carrillo makes a bet with him that he could win the girl's affections. But she and Tim Holt, a croupier at a casino, loved each other. When Carrillo finds out about this, he orders one of his men to pick a fight with Holt and then kill him; but Holt is too quick for the man, and shoots him instead. He is arrested. Miss Duna pleads with Carrillo to help Holt escape, promising to go away with him if he should do so. Carrillo does as she asks, and she leaves with him. But Holt, instead of running away, follows Carrillo and confronts him. Carrillo places him against a wall, instructing his men to kill him. But when Miss Duna taunts him by calling him a coward, he calls off the order to kill Holt. In the meantime, when the man with whom he had made the bet arrives, Miss Duna pretends to love Carrillo so that he would win the bet. In that way she manages to win his sympathy and he permits her to leave with Holt.

The plot was adapted from the play by Willard Mack and the story by Gerald Beaumont; Joseph A. Fields and Clarence U. Young wrote the screen play. Lew Landers directed it, and Cliff Reid produced it. In the cast are Donald MacBride, Chris-Pin Martin, Edward Raquello, and others.

Not for children. Harmless for adults and adolescents. Class B. Tempo, fairly fast.

**"Mr. Moto Takes a Vacation"
with Peter Lorre**

(20th Century-Fox, July 7; time, 62 min.)

A good addition to the "Moto" series. It is fast-moving and exciting; and, since the mystery is not solved until the end, it naturally holds one's attention well. There are good comedy interludes, supplied by a young excitable Englishman (George P. Huntley), who tries to assist "Mr. Moto," but ends up most of the time by being a nuisance. Although the action may seem slightly far-fetched, it is not tiresome since it moves at a fast pace. Peter Lorre gives his usual competent characterization of the detective, who cleverly outwits the crooks. The romantic interest is unimportant:—

When John King, an archeologist, finds the crown of the Queen of Sheba, which contained valuable jewels, Lorre decides to accompany him back to America with the treasure. He felt certain that a famous jewel thief (Joseph Schildkraut), for whom he was searching, would make an attempt to steal it. And he was right, but, in addition to Schildkraut, there were two other gangs trying to steal the crown. No sooner does the boat dock than the first attempt is made to steal it. Huntley, in his bungling fashion, outwits the crooks. The crown is then taken to a museum, where it is supposedly well guarded. Lorre, knowing that Schildkraut would show up, keeps a close watch. He finally discovers that Schildkraut was posing as an old philanthropist, who had partially financed the expedition. He exposes him and has him arrested. In the meantime, he outwits the other two gangs. King is happy when everything is cleared up, thus giving him a chance to pay attention to his fiancée (Iva Stewart), secretary to the curator.

Philip MacDonald and Norman Foster wrote the screen play, and Mr. Foster directed it. In the cast are Lionel Atwill, Virginia Field, Victor Varconi, John Davidson, and others.

Not for children. Suitable for adolescents and adults. Class B.

**"Tarzan Finds a Son" with Johnny
Weissmuller, Maureen O'Sullivan
and John Sheffield**

(MGM, June 16; time, 82 min.)

The "Tarzan" fans, both young and old, should find this exceedingly entertaining. It has all the excitement of the previous "Tarzan" pictures, in addition to human interest and comedy. One of the most delightful features is the introduction of a new character, that of six-year old John Sheffield; the child is a remarkable swimmer, keeping up with Weissmuller in both underwater and ordinary swimming exhibitions. Furthermore, he plays his part naturally. The closing scenes are thrilling, holding one in tense suspense:—

Weissmuller (Tarzan) and his mate (Maureen O'Sullivan) are delighted when they find in the jungle a baby, the sole survivor of an aeroplane crash. Weissmuller trains the boy so well, that at the age of six he is as adept as his foster father both in swimming and swinging from tree to tree. The two have delightful times together. Their peace is upset when a party, headed by Ian Hunter, Frieda Inescourt, and Henry Stephenson arrive. They were the relatives of the boy's parents, and had journeyed to the jungle to obtain evidence as to the accident so that they might claim the fortune rightfully belonging to the boy. Stephenson realizes that John was the child of his relatives. Hunter, when he learns this, is determined to get the boy, his purpose being to control the fortune as the boy's guardian. Realizing that Stephenson felt as did Weissmuller, that the boy belonged in the jungle, Hunter kills Stephenson, and then forces Miss O'Sullivan to accompany them out of the jungle with the boy. Against her advice, he takes a trail leading to a cannibal tribe. They are all captured. John escapes and rushes to Weissmuller for help. Weissmuller, with the aid of a herd of elephants, charges the cannibal village. Hunter had already been killed, but the others were safe. He sends Miss Inescourt on her way, but without John. Miss O'Sullivan had been injured. He tenderly cares for her, taking her and John back to their home.

Cyril Hume wrote the screen play, Richard Thorpe directed it, and Sam Zimbalist produced it. In the cast are Henry Wilcoxon, Laraine Day, Morton Lowry, and others.

Suitability, Class A. Tempo, pretty fast.

**"Inside Information" with June Lang,
Dick Foran and Harry Carey**

(Universal, June 2; time, 61 min.)

A fair program crook melodrama, revolving around the work done by police in rounding up criminals and breaking up crime rings. The story has been developed in the routine manner; nevertheless it should prove satisfactory as a second feature where action melodramas are liked. Even though there is no mystery as to the identity of the gangster leader, it holds one's attention fairly well because of the interesting methods employed by the police in rounding up the gang. The closing scenes are pretty exciting. A romance is worked into the plot, but it is of minor importance:—

Dick Foran, a rookie cop, believes in scientific methods of crime detection; but Harry Carey, a police Captain of the old school, refuses to take Foran seriously. Carey finds himself in an embarrassing position because of his inability to find any clues as to the identity of the gang of jewel thieves who had been terrorizing the city. Foran surprises everyone when he finds a clue in the form of a footprint which he traces to one of the criminals. Carey promotes him to detective work. But some of his ideas do not work out; he so annoys Carey, that he is ordered off the jewel case. Foran, despite orders, continues working on the case; he is helped by Joseph Sawyer, another detective, who had faith in Foran. He eventually gets the information he needed; and, with the help of Carey and other policemen, he traps the leader and breaks the gang. June Lang, Carey's niece, is proud of Foran, with whom she had fallen in love.

Martin Mooney and Burnet Hershey wrote the story, and Alex Gottlieb, the screen play; Charles Lamont directed it, and Irving Starr produced it. In the cast are Mary Carlisle, Addison Richards, Joseph Sawyer, Grant Richards, and others.

Unsuitable for children. It will do for adolescents and adults. Class B. Tempo, pretty fast.

**"Five Came Back" with Chester Morris,
Kent Taylor and Lucille Ball**

(RKO, June 23; time, 74½ min.)

A fair program melodrama. The production is good and the acting competent; but the story is depressing. In 1938, Universal produced a picture with a similar theme called "Sinners in Paradise," which, according to a box-office checkup, rated from fair to poor. As in the other picture, the story offers only mild human appeal, and, since the action is confined to practically one set, it is slow-moving. Towards the end, however, the spectator is touched because of the plight of three characters, who voluntarily choose death in order to save the others. There are two romances, both developed in a routine way:—

Chester Morris, pilot, and Kent Taylor, co-pilot, start out on their trip to Panama with the following passengers: Lucille Ball, a young girl with a shady reputation, C. Aubrey Smith, a college professor and his nagging wife (Elisabeth Risdon), Wendy Barric and Patric Knowles, who were eloping, John Carradine, a police officer, with Joseph Calleia, his prisoner, supposedly a dangerous radical, and Allen Jenkins, a gunman, with the young son of his chief; also with a young steward. Encountering motor trouble during a severe storm, Morris is forced to land the plane in the jungles. It is then that each one shows his true character. Knowles takes to drink, abusing every one. This disillusion Miss Barrie, who turns to Taylor for comfort. Miss Ball displays affection for the young child, thereby awakening Morris' interest in her. Calleia makes good suggestions and works hard; he becomes friendly with Smith and his wife, who changes for the better. Carradine and Jenkins are killed by a savage tribe when they wander away from camp. Morris and Taylor work frantically on the plane so as to get the others away before the savages would get them. When it is finally fixed, they realize that it would hold only five. Calleia and Smith and his wife choose to remain, even though it meant certain death. Calleia is forced to kill Knowles, who tried to get on the plane. Although he had only two bullets left, he uses them to kill Smith and his wife, which meant he would have to face the tribe alone.

Richard Carroll wrote the story, and Jerry Cady, Dalton Trumbo, and Nathanael West, the screen play; John Farrow directed it, and Robert Sisk produced it.

Too sombre for children. Suitable for adolescents and adults. Class B. Tempo, somewhat slow.

THE PRODUCER MEETINGS WITH THE SECRETARY OF COMMERCE

Representatives of the major companies, including Mr. Will H. Hays, have met several times in Washington with Mr. Harry Hopkins, Secretary of Commerce.

No independent exhibitor seems to be able to find out what the object of these conferences is, and no statement has been issued by any of the major companies. It cannot be an invitation to the Government to regulate the motion picture industry, for at the Allied convention, and for several years before it, Government regulation was the one thing that they decried most loudly. Perhaps it is an effort on their part to influence the Department of Commerce, to induce the Department of Justice to drop the suit against them now pending in the District Court in this city.

But this is mere speculation; the independent exhibitors will not know until after representatives of the Allied organization have conferred with the Secretary of Commerce. They were asked to meet him June 20, but because they could not be present on account of the convention, the conference will be held after July 4th. In the meantime, the exhibitors have a right to demand from the producers a prompt answer to the question: What's the purpose of the meetings with the Department of Commerce?

TWENTIETH CENTURY-FOX FORECASTS

"DRUMS ALONG THE MOHAWK," the Walter D. Edmonds novel, an adventure melodrama of the North America settlement days, starting with 1776 and continuing to 1784, with Henry Fonda and Nancy Kelly, as the stars, and with John Ford directing; to be produced in technicolor.

Comment: What has induced the producers to select this book is undoubtedly the fact that it was a best seller, but considerable altering in situation as well as characterization has to be made before the story may be considered suitable for the production of a good picture, for what is shown is mostly suffering and misery. The scalplings and most of the killings will have, of course, to be eliminated, for the majority of the present-day public have no stomach for such incidents in an entertainment. The acts of some of the characters are deplorable.

Forecast: There is all the way through impressive and exciting melodramatic action, but its emotional appeal is not so impressive. For this reason, the quality of the picture will depend largely on how skillfully the alterations will be made. As it stands, the story cannot make better than a good picture of fairly big magnitude. As to its box office appeal, the outcome will depend on the fame of the book, as well as the degree of popularity of the stars in each locality.

"HOTEL FOR WOMEN," the story by Elsa Maxwell, a romance.

The story deals with a heroine, who becomes jealous when she sees the man she loves with another woman. She becomes a model, and gains a reputation. To spite the hero, she makes dates with his boss. But the boss' "flame" resents the "newcomer" and, during a party at the boss' home, to which party no one showed up except the heroine (the time-worn trick), the "flame" enters and shoots the boss. The hero enters at that moment to protect the heroine and, thinking that it was she who had done the shooting, takes the blame himself. But the wound is only superficial, and everything is straightened out.

Comment: The story is old-fashioned, lacking completely in originality. In the development of the plot, the time-worn melodramatic method has been resorted to. What has induced the producers to select this story for production is, no doubt, Elsa Maxwell's association with society folk.

Forecast: There is hardly a possibility of making this more than a "B" picture, of fair to fairly good quality, with the box office results depending almost entirely on the fame of the players who will take the leading parts.

"KING OF THE KHYBER RIFLES," Talbot Mundy's story, a melodrama revolving around British military activities in India, and dealing with intrigue as well as heroism. The air arm of the fighting service is employed in the development of the plot.

Comment: It is big-picture material. The action is fast, and the heroics emotion-stirring. One of the situations shows the hero risking his life to save the life of the man

who loved his fiancée. This situation moves one deeply. The death of the hero, who loses his life while saving the life of his rival, should, if handled well, prove deeply appealing.

Forecast: The picture should turn out from very good to excellent in quality, and should do equally well at the box office.

"LITTLE OLD NEW YORK," the Rida Johnson Young novel, with Alice Faye, a romance unfolding in old New York, in the days of the paddle wheel steamboat, and the gray top hats. It deals with a young Irish girl, who leaves Ireland and, with her brother and father, comes to America to claim the fortune that had been willed to her and to her brother by their uncle.

Comment: This novel was produced in 1920, with Marion Davies in the leading part. Sydney Olcott directed it. The picture made an unprecedented success at the box office. There is considerable human interest in the story, and the romance is charming. There is a chance also for plentiful comedy.

Forecast: The picture should turn out either good or very good in quality, with the box office results commensurate with the popularity of Miss Faye.

"THE RAINS CAME," a drama with a melodramatic twist, the novel by Louis Bromfield, with Myrna Loy, Tyrone Power, and George Brent. It is the story of an English Earl, a World War veteran, who goes to India to find happiness. There are sex doings; a dam bursts, causing great loss of life; a plague breaks out, and there are heroic deeds.

Comment: Up to the time of the flood, the action is not of any particular interest, and the characters are colorless. It is only after the flood that the story amounts to something.

Forecast: Before the story can make a good picture, substantial alterations will have to be made, not only in situation, but also in characterization. The hero will have to be made more likeable. In all probabilities the picture will be produced on a big scale. If so, it should turn out either good or very good in quality, with equal results at the box office.

"THE MARK OF ZORRO," with Tyrone Power, a swashbuckling adventure melodrama, unfolding in the days of California when it was under the Spanish rule, and dealing with a hero, an aristocrat, who hated the iron rule of the governing class. He goes about masked, ever present when the weak needed him to punish the cruel oppressors. Thus he becomes a great hero to the common people. Eventually he wins over also the nobles, who aid him to overthrow the cruel officials.

Comment: This picture was first produced in 1920, with Douglas Fairbanks in the leading part. The action was fast, made much faster by Mr. Fairbanks' agility; he acted as if he had wings on his feet, shooting in and out of the scenes like a bullet.

Forecast: It is doubtful if Tyrone Power will fit in the part of the hero as thoroughly as Mr. Fairbanks fitted, but what he will lack in agility he may be able to make up in youthfulness. He should be satisfactory for the part if an equally popular actor but of athletic training cannot be substituted. The picture should turn out very good, with good to very good box office results.

"SCOTLAND YARD," the Dennison Cliff play, a crook melodrama dealing with a hero who, to escape from the hands of relentlessly pursuing him Scotland Yard detectives, enlists in the World War. His face is so shattered that, when a plastic surgeon gets through with him, he is unrecognizable. To hide his identity, he steals from the wallet of Lord Usher, who was dying, his picture. He goes to London and takes the Lord's place as the head of a bank. But he is eventually recognized and caught. By this time, however, Lady Usher had fallen in love with him. His own love for Lady Usher effects his regeneration.

Comment: This play was made into a picture by the same company once before—in 1930. Edmund Lowe starred in it. In spite of the fact that it turned out a powerful picture, the subject is hardly worthy of a repetition; the time that has elapsed since it was first produced is not so great.

Forecast: The story may make a strong picture, but it will be an unpleasant picture, and not very edifying. As to its box office possibilities, that will depend on the leads. In all probability it will be produced on a "B" budget.

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THE CODE'S OBJECTIONABLE PARTS*(Continued from last week)*

In last week's issue there was printed that part of the report which gave a summary of the objections of the exhibitors' negotiating committee. These objections the report discusses in detail, in the order in which they were enumerated.

"1. *The Proposals Do Not Afford an Effective Remedy for Major Abuses.* These major abuses were enumerated in a memorandum presented by the Negotiating Committee to the Distributors' Committee on October 27, 1938, and are as follows: (a) Compulsory block booking and blind selling; (b) ownership and operation of theatres by the producer-distributors; (c) forcing of shorts, newsreels and trailers; (d) designated playdates; (e) unreasonable clearance; (f) selling away from an established customer; (g) the 'right to buy'; (h) overbuying; (i) lack of availability of prints; (j) coercion in the selling of pictures.

"The distributors' proposals carried out in good faith would mitigate the evils of compulsory block booking by granting a graduated cancellation privilege based on the average film rentals paid. They would not abolish compulsory block booking; on the contrary, they would perpetuate it by requiring that an exhibitor, in order to secure the right to cancel, must contract for all of the feature pictures offered him at one time.

"The proposals provide no remedy whatever for blind selling, the distributors having rejected all suggestions by your Committee for the identification of pictures in the contracts and for the allowance of an enlarged cancellation privilege for unidentified pictures.

"The terms and conditions upon which a limited cancellation privilege is offered are calculated to permit of circumvention and evasion and, as we shall later point out, the indications are that the distributors are preparing to make use of the obvious loopholes in the proposals.

"The distributors made it plain at the outset that they were not willing to discuss the question of theatre divorcement and, consequently, the proposals contain no provision in reference thereto.

"The provision relating to the forcing of shorts, newsreels and trailers contains conditions and limitations which greatly impair the effectiveness thereof and which would enable the distributors to deprive an exhibitor of the right to arbitrate disputes arising thereunder by simply refusing to accept his application.

"The provision against designated playdates on flat rentals and guarantees as against percentage is utterly hollow and the provision for arbitrating the suitability of a particular percentage picture for preferred playing time conveys only the doubtful privilege of relieving the exhibitor of that picture in order that the distributor may designate another in its place. The proposal offers no relief from the increasing abuse of monopolizing all of the exhibitors' preferred time, representing sometimes as much as 80% of their total weekly revenue, with high percentage pictures.

"Provision is made for arbitrating clearance but this has been marred by the insistence of the distributors—contrary to assurances given your Negotiating Committee—that they shall have the right to designate one member of the board of arbitrators. In cases where the dispute is between an affiliated theatre and an independent theatre, this participation by the distributors would throw the board out of balance.

"Selling away from an established customer is made arbitrable but the many conditions attached to the provision make it easy of evasion and of value only in case the distributor acts in utmost good faith. The same comment is pertinent with respect to the provision that some run shall be made available to an exhibitor applying therefor.

"The 'right to buy' as contended for by Allied and as sought by the Government in the pending suit against the

Griffith Circuit and others, is not mentioned in the proposals.

"Overbuying is arbitrable so far as the number of pictures is concerned; no authority is given the boards to apportion the product on the basis of quality, thus guaranteeing the offending exhibitor his choice of the better features and leaving for the complainant nothing but culls.

"Lack of availability of prints is not provided for. Arbitration of contract disputes would not be helpful on this as the distributors have so carefully protected themselves in their contracts against demands for prints.

"The provision relating to coercion in the selling of pictures contains terms and conditions similar to those included in the provision with respect to the forcing of short subjects which greatly impair its usefulness.

"2. *The proposals as drafted do not conform to representations made during the negotiations.* In Chicago, in November 1938, after the distributors had outlined to your Committee the nature and extent of the concessions they were willing to grant, they announced that they would undertake the task of reducing the same to writing as they wanted the proposals to be stated in simple, understandable language without the complications characteristic of lawyers' productions. The following are some of the instances in which the proposals as thus drafted materially depart from the representations made during the negotiations. (The following references are to the draft dated June 10, 1939).

"Preamble, never discussed, appeared for the first time in the March 30 draft. The significance of this innovation, and its probable effect on the efforts of exhibitors to secure additional relief, will be discussed later in this report."

The preamble referred to in the foregoing paragraph reads as follows:

"The signatories hereto, being distributors, exhibitors and organized groups of exhibitors of motion pictures, hereby severally adopt the following as a code of fair trade practice, hereby severally binding themselves to the observance of the principles, policies and practices set forth herein in the licensing, distribution and exhibition of motion pictures in continental United States."

The reference to this preamble later in the report is as follows:

"The preamble, which appeared for the first time in the March 30 draft, would require that exhibitors agree that the provisions of the Code—including the continuation with slight modifications of compulsory block booking and illegally imposed clearance, not to mention many other abuses—are the fair trade practices of the industry. Moreover, the effect of agreeing to the Code would be to in effect validate all other practices observed in the industry and not specifically mentioned in the Code."

The first tentative draft that had been submitted by the distributors to the exhibitor groups early in December of last year did not contain a preamble. As the exhibitor negotiating committee's report states, it appeared for the first time in the revised draft, which was submitted to the exhibitors on March 30, just a few days previously to the hearings on the Neely Bill, which were held on April 3; and since the authority of the Allied negotiating committee had expired March 1, Allied never agreed to it. The distributors inserted it on their own authority.

This paper agrees with the Allied committee that it is dangerous for an independent exhibitor to bind himself with such a preamble.

"Page 3, subparagraph (d), providing that cancellations not exercised in top brackets shall be relegated to the lowest bracket. This was never mentioned in the negotiations and appeared for the first time in the first draft, submitted to us on January 16."

(Continued on last page)

"The Saint in London" with George Sanders
(RKO, June 30; time, 72 min.)

This third picture in the "Saint" series, which was produced in London, is fair program entertainment. Although it is somewhat slow in getting started, it gradually picks up speed, ending in an exciting manner. As in the other pictures, one is held in suspense because of the constant danger to the hero, who courageously fights crooks. There is some comedy, which is provoked by the hero's tough companion, who enjoys a good fight. Most of the excitement is concentrated in the closing scenes, when the gang is rounded up. There is a suggestion of a romance, but it culminates, as in the other pictures, with the hero taking leave of the heroine:—

George Sanders, known as "The Saint," arrives in London, where he contacts a friend who was connected with the British Secret Service. He learns from him that a certain man was suspected of being a spy. And so Sanders sets out to obtain the information his friend needed. But during his investigations he comes upon other valuable information: that this same suspicious character had kidnapped the ambassador of a foreign country, and had compelled him to sign an order for the printing of a large amount of money. Sanders rescues the ambassador and hides him at a boarding house; but the plotters discover the hiding place and kill the ambassador. This involves Sanders with Scotland Yard, for he was unable to give an explanation about the whole affair, fearing that if he did, the plotters would get away. Eventually he traps the whole gang, turning them over to Scotland Yard, with the information they needed. He then bids goodbye to Sally Gray, a young society girl who had become fascinated by the work Sanders was doing and had assisted him; he tells her that, in order to do his work successfully, he had to travel alone.

Leslie Charteris wrote the story, and Lynn Root and Frank Fenton, the screen play; John P. Carstairs directed it, and William Siström produced it. In the cast are David Burns, Gordon McLeod, Henry Oscar, and others.

Suitability, Class A. Tempo fairly fast.

Note: Although this was produced in England, it is being released on the regular RKO program because the same leading player has been used, and the screen play writers and producer are from RKO's Hollywood studio.

"Man About Town" with Jack Benny and Dorothy Lamour

(Paramount, July 7; time, 84 min.)

A pretty good comedy with music. It should go over well with Jack Benny's radio fans, for the style used in developing the story is similar to that used in his radio programs. The story is light, depending on wisecracks rather than on situations to provoke laughter. Eddie Anderson, the colored actor, known on Benny's radio program as "Rochester," practically walks away with the picture; he delivers the comedy lines extremely well, and sings and dances. At the Paramount Theatre, where the picture was previewed, the audience applauded after Anderson's two dance numbers. Benny, too, is very good; he portrays a sympathetic character, amusing one by his efforts to appear sophisticated so as to impress the girl he loved. The picture has been given a lavish production:—

Benny, an actor-manager, who had gone to London to arrange for the opening of a new musical show, looks forward to the arrival of his star (Dorothy Lamour), with whom he was in love. But when she does appear, she pays little attention to him, for she, as well as all the other show girls, thought he was too sedate and practical. Benny accidentally becomes acquainted with Binnie Barnes, a titled Englishwoman, who was married to millionaire Edward Arnold. Miss Barnes, annoyed at the fact that Arnold neglected her because of business, decides to follow the advice of a friend (Isabel Jeans) about teaching her husband a lesson. She invites Benny to her home for the weekend. He boastfully tells Miss Lamour about it, and then asks her and her heckling friend (Phil Harris) to accompany him. Both Miss Barnes and Miss Jeans play up to Benny, so as to arouse the jealousy of their husbands. Benny becomes frightened and runs away. At the opening night of the show, the two irate husbands appear, prepared to kill Benny. But, with the help of Anderson and Miss Lamour, Benny finally convinces them of his integrity. He is happy when Miss Lamour promises to marry him.

Morrie Ryskind wrote the story, and he, Allan Scott and Zion Myers, the screen play; Mark Sandrich directed it, and Arthur Hornblow, Jr. produced it. In the cast are Monty Woolley, Betty Grable, E. E. Clive, Matty Malneck's Orchestra, and others.

Suitability, Class A. Tempo, fairly fast.

"Good Girls Go to Paris" with Joan Blondell and Melvyn Douglas

(Columbia, June 30; time, 77 min.)

A pretty good comedy. The production, particularly in the second half, which unfolds mostly in the home of a millionaire, is lavish. It should go over with the masses, for the light story presents no problems; as a matter of fact, the Cinderella-like plot is what audiences need today to take their minds off their own troubles. The heroine's attempts at blackmail in an effort to obtain enough money so as to go to Paris are not demoralizing, since she does not carry her plans through; furthermore, it is all treated from a comedy angle. The romance is charming:—

Miss Blondell, a waitress in a college town, dreams of going to Paris. Knowing that she could not earn enough money to do so, she decides to play up to a wealthy college boy, make him propose, and then force his father to pay her to release the son. Melvyn Douglas, a professor, takes an interest in her; when she confides her plans in him, he warns her that her conscience would not permit her to go through with them. And that is what happens. Just when she has an opportunity to blackmail a wealthy father, her conscience stops her from doing so. She decides to go back to her small home town. But she changes her mind at the last minute, taking a train to New York instead. On the train she meets Alan Curtis, wealthy playboy, whose sister was engaged to Douglas. As soon as they arrive in New York, they go to night clubs; Curtis becomes so drunk that Miss Blondell has to take him home. When Walter Connolly, Curtis' grandfather, hears noise, he becomes irritated and shouts. In order not to get any one into trouble, Miss Blondell poses as a friend of the bride-to-be (Joan Perry). Since Connolly takes a liking to Miss Blondell, she stays on at the house. Douglas arrives and is amazed to find her there. Eventually, after many complications, during which she is accused of attempting blackmail again, she sets things straight. She proves that Miss Perry loved a struggling young doctor (Henry Hunter), and that her own intentions had always been honorable. Douglas, who loved Miss Blondell, proposes; she is overjoyed, for she, too, loved him.

Lenore Coffee and Wm. J. Cowen wrote the story, and Gladys Lehman and Ken Englund, the screen play; Alexander Hall directed it, and Wm. Perlberg produced it. In the cast are Isabel Jeans, Stanley Brown, and Alexander D'Arcy.

More suitable for adolescents and adults than for children. Class B. Action, fairly fast.

"Naughty But Nice" with Dick Powell, Ann Sheridan and Gale Page

(Warner Bros., July 1; time, 90 min.)

Just a fair comedy with music. It is somewhat amusing in spots, but for the most part the silly plot developments and trite dialogue tend to tire one. The musical numbers, which are of the popular variety, are good, and should be of help in selling the picture to the younger crowd. Whatever entertainment value the picture has is due more to the efforts of the players than to the material. The romance is pleasant but routine:—

Dick Powell, a young small-town college professor, who lived with sedate maiden aunts, is shocked when he hears his symphony that he had sent to a New York music publishing house played over the radio as swing music. He leaves for New York to fight the matter out. But once there, another aunt (Helen Broderick), the black sheep of the family, convinces him that he ought to stay in New York and collaborate with Gale Page in writing popular tunes. All his songs are hits. Ann Sheridan, a night-club singer, enters into a scheme with another music publisher, to entice Powell to switch his songs to this publisher, for which she would receive a commission. By plying Powell with intoxicating drinks which he believed to be lemonades, she induces him to sign a contract. Miss Page, who had fallen in love with Powell, is disgusted and refuses to work with him. The new publisher assigns Allen Jenkins to assist Powell. Jenkins, who had heard Powell play classical music, turns it into a popular song, naming himself and Powell as the composers. The publishing firm and Powell are sued by the estate of the deceased composer. Powell is happy when his contract is torn up. At the trial, his three aunts come to his rescue and prove his innocence. The case is dismissed. Miss Page finally gets shy Powell to propose marriage to her.

Jerry Wald and Richard Macaulay wrote the screen play, Ray Enright directed it, and Sam Bischoff produced it. In the cast are Ronald Reagan, Maxie Rosenbloom, Jerry Colonna, Halliwell Hobbes, Zasu Pitts, and others.

Suitability, Class A. Tempo, somewhat slow.

"Timber Stampede" with George O'Brien*(RKO, June 30; time, 59 min.)*

A fairly good program Western; George O'Brien is again given an opportunity to display his talents as a rider and fighter. The action is exciting enough to please the fans; and, since the villains are not routed until the end, there are plentiful fist fights and gun play throughout. Chill Wills, as O'Brien's pal, again provokes laughter by the far-fetched tales he relates. The romance is developed according to formula:—

O'Brien, a cattle rancher, is incensed when he realizes that a group of Easterners were entering faked homesteads as a means of stripping the country of timber, while pretending to build a railroad. O'Brien's uncle, a newspaper publisher, tries to acquaint the people with the facts; but the villain buys the mortgage on the newspaper and ousts the publisher. He then installs his own editor, a young newspaper woman (Marjorie Reynolds) from the East, who believed in his honesty and in the work he was doing. But O'Brien changes her mind by showing her evidence of the villain's guilt. Assisted by the former editor, she decides to put out an issue, stating the truth. The villain and his men try to prevent them. But O'Brien puts up a good fight and is finally helped by his cowboys who had been rounded up by Wills. The villains are arrested, tried, and sentenced to prison. Their chief gunman is killed in a battle with O'Brien. Miss Reynolds decides to remain out West as O'Brien's wife.

Paul Franklin and Bernard McConville wrote the story, and Morton Grant, the screen play; David Howard directed it, and Bert Gilroy produced it. In the cast are Morgan Wallace, Robert Fiske, Guy Usher, and others.

Suitability, Class A.

"Susannah of the Mounties" with Shirley Temple, Randolph Scott and Margaret Lockwood*(20th Century-Fox, June 3; time, 78 min.)*

Just a mildly entertaining comedy-melodrama. It is best suited for children, who will probably become excited over Shirley's encounters with Indians, and will be amused at her friendship with the young son of an Indian chief. For adults, however, the story lacks plausibility and the action is slow-moving. Shirley is not given much of a chance to show her talents; she sings and dances one number, and on occasion provokes laughter by her efforts to show courage. But in all, it is pretty tedious, except for the closing scenes when the Indians start out on the warpath. A mild romance is worked into the plot:—

Randolph Scott, an officer of the North West Mounted Police, finds Shirley, the only survivor of an Indian attack on a group of settlers who had been travelling by covered wagon. He takes her to his home where he and his orderly (J. Farrell MacDonald) care for her; she learns to love both men, and is quite happy. Trouble was brewing because of raids and thefts by Indians; but, since the police did not know who the guilty Indians were, they decide to have a conference with a powerful Indian chief (Maurice Moscovitch) in an effort to bring about peace. The Indian chief leaves his young son with the white men, as an indication of his honest efforts to apprehend the culprits and stop the fighting. He was unaware that the leader of the thieves was one (Victor Jory) of his own tribe. The chief's young son knew about this, and tells Shirley; but he makes her promise not to say anything until the proper time. When Jory and other Indians arrive at the railroad camp headed by Lester Matthews to sell him horses, Matthews recognizes them as those stolen from his camp. He orders Jory to leave and threatens to bring in the militia. Jory works the Indians up to a frenzy; they start attacking the white folk. Scott is captured. When Shirley hears of this she sneaks away in order to get to the Indian camp. Once there, she exposes Jory and convinces the Indian chief of the good intentions of the Mounted Police to keep peace. Scott is released, and the warfare is ended. Scott marries Margaret Lockwood, his chief's daughter; they adopt Shirley.

Fidel LaBarba and Walter Ferris adapted the story from the book by Muriel Denison; Robert Ellis and Helen Logan wrote the screen play; Wm. A. Seiter directed it, and Kenneth Macgowan produced it. In the cast are Moroni Olsen, Martin Goad-Rider, and others.

Suitability, Class A. Tempo, somewhat slow.

"Mickey the Kid" with Bruce Cabot, Ralph Byrd and Tommy Ryan*(Republic, July 3; time, 68 min.)*

A fair program melodrama. Human interest is awakened by the devotion of a young boy to his father. The situation in which this boy realizes how vicious a character was his father touches one. The closing scenes, showing a busload of children, who had been abandoned on a country road during a severe snow storm, fighting to keep alive, hold one in suspense. There is some good comedy, most of which is brought about by the excitable character portrayed by Zasu Pitts; also by Tommy Ryan, when he uses slang expressions:—

Bruce Cabot, a crook, is devoted to his motherless son (Tommy Ryan), refusing the plea of Ralph Byrd, a doctor, to turn the boy over to the care of his mother-in-law (Jessie Ralph), whom he detested. After a bank robbery in which he had participated, during which a guard was shot, Cabot orders Tommy to go to his grandmother's home and remain there until he received word from him. Miss Ralph is reluctant to take Tommy into her home, but she is shamed into doing so by Miss Pitts, her companion. She grows to love the boy, and in time he returns her affections. Federal investigators try to force Tommy to reveal his father's whereabouts, but he refuses. Cabot, desirous of seeing his son, sneaks into Miss Ralph's home; Tommy hides him in the attic. He later forces Tommy to leave with him in Miss Ralph's car. They run out of gasoline. Tommy spies the school bus on the road and stops it. Cabot orders the driver to leave and then drives the bus, with all the children in it, away from their homes. Tommy pleads with him to turn back, but he refuses. When the bus gets stuck, Cabot prepares to leave; but Tommy refuses to go with him. Tommy makes the children keep moving, builds a fire, and keeps up their spirits. Cabot is shot by the federal officers; before he dies he tells them where the children were. The children are saved in time; Tommy is considered a hero, to his grandmother's delight.

Alice Altschuler wrote the story, and Doris Malloy and Gordon Kahn, the screen play; Arthur Lubin directed it, and Herman Schlom produced it. In the cast are J. Farrell MacDonald, June Storey, and others.

Suitability, Class A. Action, fairly fast.

"Daughters Courageous" with Priscilla Lane, John Garfield and Claude Rains*(First National, July 22; time, 106 min.)*

Good entertainment. Although the same players who appeared in "Four Daughters" appear also here, this is not a sequel to the first picture. It is, however, somewhat similar in feeling, for this, too, presents a simple, heart-warming drama of family life, with human appeal and comedy. There are situations that touch one's heart and others that provoke laughter. Although it is not as impressive as "Four Daughters," it nevertheless holds one's attention well, since one is in sympathy with all the characters. Those who enjoyed "Four Daughters" will find this, too, to their liking:—

When Fay Bainter announces to her four daughters (Priscilla, Rosemary, Lola Lane and Gale Page) that she was going to marry Donald Crisp, a wealthy business man, they are delighted, for they respected and loved him. Just when everything looked serene, Claude Rains, Miss Bainter's ex-husband, father of the four girls, who had deserted his wife twenty years ago, suddenly appears. The girls decide that they must act coldly towards him so as to force him to leave; but, instead, they find themselves growing to love him. Priscilla, who had imagined herself in love with Jeffrey Lynn, a young playwright, meets and falls in love with John Garfield, son of a fisherman, whose personality was similar to that of her father's. Miss Bainter, realizing that, if Rains were to stay around much longer, he would upset the happiness of her children, pleads with him to leave. She does this knowing that he had regretted his former acts and that he wanted to settle down and be with his family; but she felt it was for the best. Rains convinces Garfield that he should not marry Priscilla. He and Garfield leave together, to roam the world. Priscilla is heartbroken; her mother comforts her, telling her that it was better for her to part from Garfield now and thus save herself the unhappiness that she had known. Miss Bainter then marries Crisp.

The plot was suggested by a play by Dorothy Bennett and Irving White; Julius and Philip Epstein wrote the screen play, Michael Curtiz directed it, and Henry Blanke produced it. In the cast are May Robson, Frank McHugh, Dick Foran, Berton Churchill, and others.

Suitability, Class A. Tempo, fairly fast.

The paragraph referred to reads as follows:

"(d) if any exhibitor, having the right to do so, fails to exclude one or more features from higher brackets, he shall, for each such feature, have the right to exclude one feature from the lowest bracket; provided, however, that if at the time there are no unplayed available features in the lowest bracket, he may exclude a feature from the next lowest bracket."

Since the Allied board of directors rejected the January 16 draft, naturally the Allied organization was not in agreement with this addition. Had this provision been discussed by the two committees, it is manifest that the exhibitor side would have rejected it forthwith, for it is unfair. Why should the exhibitor be denied the right to cancel a picture from the immediately lower bracket, obliging him to cancel one from the lowest bracket?

(To be continued next week)

FIRST NATIONAL-WARNER FORECASTS

"AND IT ALL CAME TRUE," the Louis Bromfield *Cosmopolitan Magazine* story, with James Stewart, Ann Sheridan and Humphrey Bogart, a drama with music, dealing with the hero, a composer, and with the heroine, a singer, both children of Irish immigrants, who shelter in their parents' boarding house a notorious underworld character; he was sought by the U. S. Government for tax evasion. For this, the gangster turns the boarding house into a night club, helping them to win fame.

Comment: There is human appeal in some of the situations, which could be made more touching if the underworld character were not made so vicious; he could be shown to have a better side, which would be brought out by the readiness with which he helped the two youngsters make their way in life. There is naturally a chance for music—of the swing kind, if the producers prefer.

Forecast: The picture should turn out either good or very good in quality, with similar box-office results.

"BURNING DAYLIGHT," the Jack London story, unfolding first in Alaska and then in San Francisco, where the hero goes, after selling his Klondike goldmine, with the intention of amassing a fortune in stock gambling.

Comment: Jack London stories are literary masterpieces, but they are not so suitable for motion pictures. This story was produced by First National in 1928, but it turned out only fair, even though Milton Sills took the hero's part. The outstanding event is the hero's holding up a millionaire at the point of a gun and taking away from him the money that he had been cheated of. The fact that the hero is not loyal to the heroine, who had stood by him all along, and takes up with another woman, whose object was nothing more than to help her father cheat him, makes the spectator lose respect for him.

Forecast: the picture should turn out fair in quality. As to box office results, it should depend on the popularity of the leads.

"THE DESERT SONG," the well known operetta—the book by Otto Harbach, Oscar Hammerstein and Frank Mandel, with music by Sigmund Romberg—a romance, with the action unfolding in Northern Africa, dealing with a notorious would-be Arabian bandit, but in fact the son of a French General.

Comment: Warner Bros. produced this picture in 1929, with John Boles. It turned out outstanding, as judged by the standards of that year. Last year, the announcement said that it would be produced in technicolor, but since this year's announcement says nothing about color one is compelled to assume that it will be produced in black and white.

Forecast: The picture should turn out from good to very good in quality. Photographed in natural colors, it should turn out excellent.

"DISRAELI," the Louis N. Parker play, a drama revolving around the vision of England's Premier Disraeli in acquiring controlling stock in the Suez Canal. A romance is interwoven in the plot.

Comment: This picture was first produced in 1921 by United Artists with George Arliss, with fair results. The second time it was produced by Warner Bros., in 1929, with the same star, with better results. It is a good story, but it hardly deserves a third production.

Forecast: It should turn out either good or very good in entertaining quality.

"THE KNIGHT AND THE LADY," the Maxwell Anderson stage play, "Elizabeth the Queen," with Bette

Davis, Errol Flynn, and Olivia de Havilland—a historical romantic drama, revolving around Queen Elizabeth.

Comment: The play had 147 performances when it opened at the Theatre Guild. It is a powerful drama of court intrigue, action and romance.

Forecast: The picture should turn out very good, and with the stars announced it should do very well at the box office.

"THE OLD MAID," the Zoe Akins stage play, taken from the Edith Wharton novel, with Bette Davis, Miriam Hopkins and George Brent—a drama in which mother love is the foundation: one of the two sisters gives birth to an illegitimate child and the other sister, after the death of her husband, adopts the child so as to shield the mother from disgrace. The mother is heart-broken as she sees that her daughter loves her sister, whom she thought her real mother, and that she was considered a meddling old woman. When time came for the daughter to marry, the mother yearned to tell her who her real mother was, but she desisted, because she did not want to make her daughter unhappy.

Comment: The play had 305 performances. There is powerful human appeal in the story.

Forecast: Warner Bros. has an excellent piece of property in this play, which should make an excellent picture and, with the stars announced, perform equally well at the box office.

"ON YOUR TOES," a musical revue by George Abbott, Richard Rodgers, and Lorenz Hart, with the action unfolding in a vaudeville theatre and backstage, including the dressing rooms; also in a broadcasting studio, in the class rooms of a university, in the apartments of some of the characters, in a Planetarium roof garden, and in other places, with Vera Zorina, a famous dancer, in the leading part.

Comment: This revue wasn't so successful on the stage, but the material offers a fine opportunity for a good musical picture. There is chance for action, for swing and other music, and even for human interest. The story is weak.

Forecast: The plot will be altered, no doubt, and new music added. If so, the picture should turn out very good to excellent in quality, with the box office results depending on the popularity of those who will take the parts of the hero and the heroine.

"THE SEA HAWK," the Raphael Sabatini novel, with Errol Flynn and Olivia de Havilland—an adventure melodrama, the action of which unfolds in the days of the buccanniers, aboard a pirate-chasing ship mostly, dealing with Arab slavers and with the hero, an Englishman, made by the ruler of Algeria commander of his fleet, determined to avenge the death of his friend, son of the ruler, who had been killed by the Spaniards.

Comment: This story was first produced by First National in 1924, with Milton Sills in the hero's part; it turned out an outstanding production. The action is fast, there are heroics, and human interest abounds.

Forecast: Warner Bros. should make an outstanding production with this story, both from the quality as well as box-office performance point of view.

"TWENTY THOUSAND YEARS IN SING SING," a prison melodrama, by Warden Lewis E. Lawes, with John Garfield and Ann Sheridan. It deals with a hero, a notorious racketeer, who goes to Sing Sing Prison. There he learns that he cannot have his own way. But the Warden sees character in him and takes him under his protection. The Warden receives word that the hero's sweetheart was in an accident and, having faith in the hero, releases him to see her. At her apartment he learns that it was his lawyer who had caused the accident; he had tried to assault her. A fight ensues and, when the heroine sees that the lawyer was having the best of the hero, shoots and kills the lawyer. The hero returns to prison and stands trial and, because he refused to divulge the facts, is convicted and sentenced to death. He admonishes the heroine not to mourn for him, for he felt that it was the only noble act that he had ever performed.

Comment: This story was put into pictures by the same company once before—in 1931. It turned out a gripping picture, with plentiful human interest. There was comedy, too, provoked by the methods the Warden employed to cure the hero's arrogance. The closing scenes are heart-rending.

Forecast: Warner Bros. announced recently that it would alter the story considerably. As it stands, it can again make a powerful prison melodrama, which should draw either well or very well at the box office.

HARRISON'S REPORTS

Vol. XXI

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(729 Seventh Ave., New York, N. Y.)

9206 Spoilers of the Range—Starrett (58m.)	Apr. 27
9031 Outside These Walls—Costello-Whelan	May 4
9016 Blind Alley—Morris-Bellamy-Dvorak	May 11
9027 Missing Daughters—Arlen-Marsh	May 22
9001 Only Angels Have Wings—Grant-Arthur	May 25
9024 Trapped in the Sky—Jack Holt	June 1
9207 Western Caravan (Arizona Cowboy)—Starrett (58 min.) (reset)	June 15
9012 Clouds Over Europe (Q Planes)—Olivier-Hobson (reset)	June 20
Parents on Trial—Parker-Downs (reset)	June 29
9005 Good Girls Go to Paris—Blondell	June 30
A Woman Is the Judge—Hudson-Kruger	July 10
9208 The Man from Sundown—Starrett (reset)	July 15
Blondie Takes a Vacation—Singleton	July 20
Escape from Alcatraz—Donlevy-Wells	July 27

First National Features

(321 W. 44th St., New York, N. Y.)

373 Sweepstakes Winner—Wilson-Jenkins	May 20
374 Code of the Secret Service—Reagan	May 27
375 The Man Who Dared—Bryan-Grapewin	June 3
363 The Kid From Kokomo—O'Brien-Morris	June 24
360 Daughters Courageous—Garfield-Lane	July 22
366 The Cowboy Quarterback—Wheeler-Wilson	July 29

Grand National Features

(50 Rockefeller Plaza, New York, N. Y.)

W1-3 The Singing Cowgirl—D. Page (57m.)	May 31
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Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

929 The Kid From Texas—O'Keefe-Rice	Apr. 14
934 The Hardys Ride High—Stone-Rooney	Apr. 21
932 Calling Dr. Kildare—L. Barrymore-Ayres	Apr. 28
933 Lucky Night—Taylor-Loy	May 5
935 Tell No Tales—Douglas-Platt	May 12
936 It's a Wonderful World—Colbert-Stewart	May 19
937 Bridal Suite—Young-Annabella	May 26
No release for	June 6
938 6,000 Enemies—Pidgeon-Johnson	June 9
939 Tarzan Finds a Son—Weissmuller-O'Sullivan	June 16
940 Maisie (Maisie Was a Lady)—Sothorn	June 23
941 Stronger Than Desire—Bruce-Pidgeon	June 30
942 On Borrowed Time—L. Barrymore	July 7
643 Rose Marie—Reissue	July 7
943 They All Come Out—Johnson-Neal	July 14
944 Andy Hardy Gets Spring Fever—Rooney	July 21
Goodbye, Mr. Chips—Robert Donat	July 28
Miracles for Sale—R. Young-Rice	July 28

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

3829 Wanted by Scotland Yard—J. Stephenson	Apr. 19
3820 Boys' Reformatory—Frankie Darro	May 1
3864 Down the Wyoming Trail—Ritter (62m.)	May 18
3813 Wolf Call—Movita-J. Carroll	May 18
3855 Across the Plains—Randall (52m.)	June 1
3823 Should a Girl Marry (Girl from Nowhere)—Nagel-Hull	June 10
3814 Stunt Pilot—John Trent (reset)	July 1
3865 Roll, Wagon, Roll—Ritter (reset)	Aug. 16

Paramount Features

(1501 Broadway, New York, N. Y.)

3836 Hotel Imperial—Miranda-Milland	May 12
3837 Some Like It Hot—Hope-Ross-Krupa	May 19
3838 Unmarried—Jones-Twelveetrees	May 26
3864 Stolen Life—Bergner-Redgrave	May 26
3839 Gracie Allen Murder Case—Allen-William	June 2
3840 Undercover Doctor—Nolan-Naish-Logan	June 9
3841 Invitation to Happiness—Dunne-MacMurray	June 16
3842 Grand Jury Secrets—Howard-Frawley	June 23
3843 Heritage of the Desert—Woods-Barrat (78 min.)	June 23
3844 Bulldog Drummond's Bride—Howard-Angel	June 30
3845 Man About Town—Benny-Lamour-Arnold	July 7
Million Dollar Legs—Grable-Hartley	July 14
The Magnificent Fraud—Tamiroff-Nolan	July 21
Island of Lost Men—Wong-Naish (reset)	July 28

Republic Features

(1776 Broadway, New York, N. Y.)

855 Southward Ho—Rogers (58 min.)	May 18
812 The Zero Hour—Kruger-Inescort	May 26
813 S-O-S, Tidal Wave—Byrd-Sutton	June 2
845 Mountain Rhythm—Autry (59 min.)	June 9
856 In Old Caliente—Rogers (57 min.)	June 19
867 Wyoming Outlaw—Three Mesquit. (56m.)	June 27
814 Mickey the Kid—Ryan-Cabot-Pitts (65m.)	July 3

RKO Features

(1270 Sixth Ave., New York, N. Y.)

925 Panama Lady—Ball-Lane	May 12
928 Girl From Mexico—Velez-Woods	June 2
926 The Girl and the Gambler—Duna-Carrillo	June 16
927 Five Came Back—Morris-Taylor-Ball	June 23

Twentieth Century-Fox Features

(444 W. 56th St., New York, N. Y.)

943 Boy Friend—Withers-Whelan-Bond	May 19
944 The Gorilla—Ritz Bros.-Louise-Norris	May 26
946 The Jones Family in Hollywood—Prouty	June 2
947 Young Mr. Lincoln—Fonda-Brady-Weaver	June 9
948 Charlie Chan in Reno—Toler-Cortez	June 16
954 Susannah of the Mounties—Temple-Scott	June 23
950 It Could Happen to You—Erwin-Stuart	June 30
952 Mr. Moto Takes a Vacation—Lorre	July 7
949 Second Fiddle—Henie-Power-Vallee	July 14
953 News Is Made at Night—Foster-Bari	July 21
8014 The Ware Case—Clive Brook	July 21
951 The Frontier Marshall (The Girl From Brooklyn)—Scott-Barnes (reset)	July 28

United Artists Features

(729 Seventh Ave., New York, N. Y.)

Captain Fury—Aherne-McLaglen-Lang	May 26
The Hurricane—Reissue	June 2
A Star Is Born—Reissue	June 2
Elephant Boy—Reissue	June 2

Universal Features

(1250 Sixth Ave., New York, N. Y.)

A3019 Code of the Streets—Carey	Apr. 14
A3018 Big Town Czar—MacLane-Brown-Arden	Apr. 21
A3030 For Love or Money—Lang-Kent	Apr. 28
A3010 Ex-Champ—McLaglen-Brown	May 19
A3040 They Asked for It—Whalen-Hodges (re.)	May 26
A3039 Inside Information—Lang-Foran	June 2
The Sun Never Sets—Fairbanks, Jr. (re.)	June 9
A3038 House of Fear—Gargan-Hervey	June 30
Unexpected Father—Auer-O'Keefe-Ross	July 7
The Forgotten Woman—Gurie-Briggs	July 7
I Stole a Million—Raft-Trevor	July 14

("Hawaiian Holiday" has been transferred to the 1939-40 season.)

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

322 Torchy Runs for Mayor—Farrell	May 13
301 Juarez—Muni-Davis-Aherne-Rains	June 10
324 Nancy Drew, Trouble Shooter—Granville	June 17
311 Naughty But Nice—Sheridan-D. Powell	July 1
312 Hell's Kitchen—"Dead End" Kids-Lindsay	July 8
325 Waterfront—Dickson-Morgan	July 15

SHORT SUBJECT RELEASE SCHEDULE

Columbia—One Reel

9902 Washington Parade—Issue #2 (11m.)	Feb. 21
9656 Community Sing No. 6—(10½m.)	Feb. 24
9962 A Night at the Troc—Vanities (10½m.)	Mar. 2
9754 Scrappy's Side Show—Scrappys (6½m.)	Mar. 3
9857 Screen Snapshots No. 7—(9½m.)	Mar. 17
9805 Navy Champions—Sport Thrills (9½m.)	Mar. 17
9657 Community Sing No. 7—(10½m.)	Mar. 24
9508 Happy Tots—Color Rhapsody (6½m.)	Mar. 31
9705 Golf Chumps—Krazy Kat (6½m.)	Apr. 6
9858 Screen Snapshots No. 8—(9½m.)	Apr. 8
9509 The House That Jack Built—Col. Rh. (7m.)	Apr. 14
9806 Diving Rhythm—Sport Thrills (9½m.)	Apr. 21
9658 Community Sing No. 8—(10½m.)	Apr. 21
9755 A Worm's Eye View—Scrappys (7m.)	Apr. 28
9903 Washington Parade—Issue #3 (10m.)	May 12
9706 Krazy's Shoe Shop—Krazy Kat (6m.)	May 12
9859 Screen Snapshots No. 9—(9½m.)	May 12
9659 Community Sing No. 9—(10½m.)	May 19
9963 Yankee Doodle Home—Vanities (10m.)	May 19
9510 Lucky Pigs—Color Rhapsody (7m.)	May 26
9860 Screen Snapshots No. 10—(10m.)	May 26
9554 Man Made Island—Tours (9½m.)	May 26
9756 Scrappy's Rodeo—Scrappys	June 2
9807 Jockeys Up—Sport Thrills (10½m.)	June 2
9861 Screen Snapshots No. 11	June 15
9660 Community Sing No. 10—(10m.)	June 16
9511 Nell's Yells—Color Rhapsody	June 30
9808 Technique of Tennis—Sport Thrills (9m.)	June 30

Columbia—Two Reels

9142	Trap of the Wasp—Mandrake #2 (20½m.)	May 13
9407	Yes, We Have Bananas—Stooges (16m.)	May 19
9143	City of Terror—Mandrake #3 (19m.)	May 20
9144	The Secret Passage—Mandrake #4 (17m.)	May 27
9434	Now It Can Be Sold—All Star (16½m.)	June 2
9145	The Devil's Playmate—Mandrake #5 (14½m.)	June 3
9146	The Fatal Crash—Mandrake #6 (14½m.)	June 10
9435	Pest in the West—All Star (18½m.)	June 16
9147	Gamble for Life—Mandrake #7 (14½m.)	June 17
9148	Across the Deadline—Mandrake #8 (17m.)	June 24
9408	Saved by the Belle—Stooges (17½m.)	June 30
9149	Terror Kides the Rails—Mandrake #9	July 1
9150	The Unseen Monster—Mandrake #10	July 8
9436	Rattling Romeo—All Star (17m.)	July 14
9151	At the Stroke of Eight—Mandrake #11	July 15
9152	The Reward of Treachery—Mandrake #12	July 22
9437	Trouble Finds Andy Clyde—All Star (18m.)	July 28

Metro-Goldwyn-Mayer—One Reel

F-956	Dark Magic—Robert Benchley (10m.)	May 13
W-886	The Art Gallery—Cartoons (9m.)	May 13
M-878	Hollywood Hobbies—Miniatures (10m.)	May 13
S-908	Radio Hams—Pete Smith (10m.)	May 20
K-925	Angel of Mercy—Passing Parade (10m.)	May 20
M-879	Prophet Without Honor—Miniat. (11m.)	May 20
M-880	The Greener Hills—Miniatures (11m.)	May 27
F-957	Home Early—Benchley (9m.)	May 27
T-862	Colorful Curacao—Traveltalks (9m.)	May 27
W-887	The Bear That Couldn't Sleep—Cartoons (Technicolor)	June 10
F-958	How to Eat—Benchley (10m.)	June 10
S-909	Poetry of Nature—Pete Smith (8m.)	June 17
K-926	Yankee Doodle Goes to Town—Pass. Par.	June 17
K-927	Giant of Norway—Passing Parade	June 24
C-940	Joy Scouts—Our Gang	June 24
S-910	Culinary Carving—Pete Smith	July 1

Metro-Goldwyn-Mayer—Two Reels

P-813	While America Sleeps—Crime Doesn't Pay (21 min.)	Apr. 15
P-814	Help Wanted—Crime Doesn't Pay (21m.)	June 10

Paramount—One Reel

J8-5	Popular Science #5—(10m.)	May 12
V8-10	Swans—Paragraphic (9m.)	May 19
E8-8	Wotta Nitemare—Popeye (7m.)	May 19
K8-6	Jamaica—Color Cruises (9m.)	May 26
A8-11	Tempo of Tomorrow—Headliner (10m.)	June 2
P8-11	Paramount Pictorial #11—(10m.)	June 2
R8-12	Death Valley Thrills (Watch Your Step)—Sportlight (9 min.)	June 9
T8-9	The Scared Crows—Betty Boop (6m.)	June 9
E8-9	Ghosks Is the Bunk—Popeye (6½m.)	June 16
L8-6	Unusual Occupations #6—(9½m.)	June 16
V8-11	Farewell, Vienna—Paragraphic (9½m.)	June 23
C8-5	The Barnyard Brat—Color Classic	June 30
A8-12	Not Yet Titled—Headliner	July 7
P8-12	Paramount Pictorial #12	July 7
R8-13	Watch Your Step—Sportlight (9m.)	July 7
T8-10	Rhythm on the Reservation—Boop (6m.)	July 7
E8-10	Hello, How Am I—Popeye	July 14
J8-6	Popular Science #6	July 14
C8-7	Rio De Janeiro—Color Cruise	July 21

RKO—One Reel

94113	Donald's Cousin Gus—Disney (7m.)	May 19
94610	Swinguet—Reelism (8m.)	May 26
94114	Beach Picnic—Disney (8m.)	June 9
94311	Devil Drivers—Sportscope (9m.)	June 16
94115	Sca Scouts—Disney (8m.)	June 30
94312	Riding the Crest—Sportscope (9m.)	July 14
94116	The Pointer—Disney (8m.)	July 21
94118	Donald's Penguin—Disney (8m.)	Aug. 11

RKO—Two Reels

93110	March of Time—(19m.)	May 12
93405	Baby Daze—E. Kennedy (15m.)	May 19
93111	March of Time—(19m.)	June 9
93504	Sagebrush Serenade—Whitley (19m.)	June 16
93706	Ring Madness—Leon Errol (19m.)	June 30
93204	Marriage Go Round—Radio Flash (18m.)	July 28

Twentieth Century-Fox—One Reel

9304	Inside Baseball—Sports (10½m.)	Apr. 28
9528	Barnyard Egg-Citement—T. Toon (6½m.)	May 5
9205	Sand Hogs—Adv. News Camera (9½m.)	May 12
9513	Nick's Coffee Pot—Terry-Toon (6½m.)	May 19
9106	Good Neighbors—Lowell Thomas (10½m.)	May 26
9514	The Prize Guest—Terry-Toon (6½m.)	June 2
9107	Tempest Over Tunis—L. Thomas (10½m.)	June 9
9515	Gandy Goose in a Bully Romance—Terry-Toon (6½ min.)	June 16
9305	Sports Immortals—Sports (10½m.)	June 23
9516	Africa Squawks—Terry-Toon (6½m.)	June 30
9604	Fashion Forecast No. 4	July 7
9517	Barnyard Baseball—Terry-Toon	July 14
9306	Not Yet Titled—Sports	July 21
9518	The Old Fire Horse—Terry-Toon	July 28

Universal—One Reel

A3361	Going Places with Thomas #63—(9½m.)	May 15
A3256	Bola Mola Land—Lantz cart. (7m.)	May 29
A3374	Stranger Than Fiction #63—(9m.)	June 5
A3257	Bird on Nellie's Hat—Lantz cart.	June 19
A3362	Going Places with Thomas #64—(9m.)	June 26
A3375	Stranger Than Fiction #64—(9½m.)	July 3
A3363	Going Places with Thomas #65—(9m.)	July 17

(more to come)

Universal—Two Reels

A3231	Swing Sanatorium—Mentone (18m.)	June 14
A3891	A Prince in Bondage—Rogers #11 (21m.)	June 20
A3892	War of the Planets—Rogers #12 (20m.)	June 27
A3232	Gals and Gallons—Mentone (18m.)	July 12
A3233	With Best Dishes—Mentone (17m.)	Aug. 9

(End of 2 reels for 1938-39 Season)

Beginning of 1939-40 Season

4110	The March of Freedom—Special (20m.)	June 7
4581	The Renegade's Revenge—Oregon Trail #1 (21 min.)	July 4
4582	The Flaming Forest—Oregon #2 (21m.)	July 11
4893	The Brink of Disaster—Oregon #3 (21m.)	July 18
4584	Thundering Doom—Oregon #4 (20m.)	July 25

Vitaphone—One Reel

4711	Dave Apollon & Orch.—Mel. Mast. (10m.)	Apr. 8
4909	The Crawford's "At Home"—Varieties (11 min.)	Apr. 15
4811	Porky and Teabiscuit—L. Tunes (7½m.)	Apr. 22
4516	Daffy Duck & Dinosaur—Mer. Mel. (8m.)	Apr. 22
4609	Mechanix Illustrated #4—(10m.)	Apr. 22
4713	Artie Shaw & Orch.—Mel. Mast. (10m.)	Apr. 29
4309	Voodoo Fire—True Adventures (12m.)	May 6
4517	Thugs With Dirty Mugs—Mer. Mel. (8m.)	May 6
4812	Kristopher Columbus, Jr.—L. Tunes (7m.)	May 13
4610	For Your Convenience—Col. Par. (9m.)	May 20
4714	Larry Clinton & Orch.—Mel. Mast. (9m.)	May 20
4519	Naughty But Nice—Mer. Mel. (8m.)	May 20
4518	Hobo Gadget Band—Mer. Mel. (7m.)	May 27
4910	Dean of the Pasteboards—Var. (10m.)	May 27
4310	Haunted House—True Adventures (11m.)	June 3
4520	Believe It or Else—Mer. Mel. (9m.)	June 3
4813	Polar Pals—Looney Tunes (6½m.)	June 3
4715	Leith Stevens & Orch.—Mel. Mast. (10m.)	June 10
4612	Mechanix Illustrated #5—(9m.)	June 10
4814	Scalp Trouble—Looney Tunes (7m.)	June 24
4908	The Right Way—Varieties (9m.)	July 1
4716	Rita Rio & Orch.—Mel. Mast. (10m.)	July 1
4311	Lives in Peril—True Adventures	July 1
4521	Old Glory—Mer. Melodies (10m.)	July 1
4611	Modern Methods—Color Parade	July 15
4522	Dangerous Dan McFoo—Mer. Mel. (8m.)	July 15
4815	Porky's Picnic—Looney Tunes	July 15
4717	Will Osborne & Orch.—Mel. Mast. (10m.)	July 22
4911	Witness Trouble—Grouch Club—Var. (9m.)	July 29
4523	Snow Man's Land—Mer. Melodies	July 29

Vitaphone—Two Reels

4027	You're Next to Closing—Brev. (18m.)	May 13
4028	Broadway Buckaroo—Bway. Brev. (18m.)	June 3
4029	Wardrobe Girl—Bway. Brev. (19m.)	June 17
4006	Quiet Please—Technicolor Prod. (18m.)	July 1
4030	A Swing Opera—Bway. Brev.	July 22
4007	Bill of Rights—Tech. Prod.	Aug. 12

NEWSWEEKLY NEW YORK RELEASE DATES

Universal

784	Saturday	July 1
785	Wednesday	July 5
786	Saturday	July 8
787	Wednesday	July 12
788	Saturday	July 15
789	Wednesday	July 19
790	Saturday	July 22
791	Wednesday	July 26
792	Saturday	July 29
793	Wednesday	Aug. 2
794	Saturday	Aug. 5

Fox Movietone

84	Saturday	July 1
85	Wednesday	July 5
86	Saturday	July 8
87	Wednesday	July 12
88	Saturday	July 15
89	Wednesday	July 19
90	Saturday	July 22
91	Wednesday	July 26
92	Saturday	July 29
93	Wednesday	Aug. 2
94	Saturday	Aug. 5

Paramount News

95	Saturday	July 1
96	Wednesday	July 5
97	Saturday	July 8
98	Wednesday	July 12
99	Saturday	July 15
100	Wednesday	July 19
101	Saturday	July 22
102	Wednesday	July 26
103	Saturday	July 29
104	Wednesday	Aug. 2

(End of 1938-39 Season)

1939-40 Season

1	Saturday	Aug. 5
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Metrotone News

282	Saturday	July 1
283	Wednesday	July 5
284	Saturday	July 8
285	Wednesday	July 12
286	Saturday	July 15
287	Wednesday	July 19
288	Saturday	July 22
289	Wednesday	July 26
290	Saturday	July 29
291	Wednesday	Aug. 2
292	Saturday	Aug. 5

Pathe News

95199	Sat. (O.)	July 1
952100	Wed. (E.)	July 5
951101	Sat. (O.)	July 8
952102	Wed. (E.)	July 12
951103	Sat. (O.)	July 15
952104	Wed. (E.)	July 19

(End of 1938-39 Season)

1939-40 Season

05101	Sat. (O.)	July 22
05202	Wed. (E.)	July 26
05103	Sat. (O.)	July 29
05204	Wed. (E.)	Aug. 2
05105	Sat. (O.)	Aug. 5

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A Motion Picture Reviewing Service

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SATURDAY, JULY 8, 1939

No. 27

THE CODE'S OBJECTIONABLE PARTS

(Continued from last week)

The quoted parts have been copied from the exhibitor negotiating committee's report, which was made to the convention.

"Page 5, III, 'Public demand for exceptional pictures.' Nullifying conditions appeared for the first time in the March 30 draft of proposals."

By comparing the March 30 draft with the original memorandum, which was handed to the exhibitors early in December last year, one finds the criticism of the exhibitor committee's report correct.

"Page 5, III, second paragraph. Entirely new limiting clause, never discussed with your Committee and appearing for the first time in the March 30 draft."

The paragraph referred to reads as follows:

"An exhibitor who has been a customer of a distributor and who has refused to contract for such distributor's features for the situation involved shall have no right to attempt to use this Article to compel such distributor to license to him from time to time its outstanding features."

The original memorandum of trade practice proposals did not contain this provision, and its inclusion in the final draft leads one to believe that the distributors fear to let the arbitration boards determine any cases where they feel that the exhibitors have taken advantage of this, the "Exceptional Pictures," clause. If arbitration is to act as a mediator between distributors and exhibitors, the distributors should have a little more faith in the system.

"Page 7, V (a), 'Not arbitrable,' appears for the first time in the March 30 draft."

The part of the code referred to is under "Some Run Available," and reads as follows: "... an exhibitor shall be able to obtain from a distributor a run of its features in any situation, ... provided (a) distributor and exhibitor can mutually agree upon the number of features to be licensed and other terms and conditions; ..." The part objected to reads as follows: "No dispute under proviso (a) hereof shall be subject to arbitration; ..." This limitation is not contained in the original draft.

"Page 9, VII, second paragraph. Was not discussed with your Committee, appeared for the first time in the March 30 draft and, as above pointed out, materially affects the effectiveness of the provision against forcing of shorts."

The new provision requires the exhibitor to notify, in writing, the distributor's Home Office within forty-eight hours after signing a contract if he had been coerced by the salesman to sign a contract for shorts as a condition of obtaining his features.

In the discussion of this provision on the floor of the Minneapolis convention, an exhibitor asked the distributors to alter the provision so as to give the exhibitor the right to notify the distributor forty-eight hours after the approval of the feature contract, but, although no reply was made, the distributors' feeling seemed to be against granting such a reasonable request.

"Page 11, XIII, second paragraph. New, nullifying and not discussed."

The article referred to is entitled "Coercing Contracts," and the objectionable addition reads as follows:

"An exhibitor shall have no right to assert any claim that he has been so coerced or intimidated [by theatre-building threats] unless he shall have mailed to the distributor at his Home Office notice in writing of such claim and the grounds therefor within forty-eight hours after delivery by exhibitor of his signed application for such license agreement." It then provides for arbitration. This added provision is not contained in the original draft,

which treated contract coercion under the heading, "Acquiring Theatres."

"Page 12, (iii), clause imposing greater burden of proof on complaining exhibitor than is imposed on complaining distributor was never discussed with your Committee."

The provision referred to comes under the heading, "Performance of License Agreements," in the Article entitled, "Other Subjects of Arbitration." The phrase which, in the opinion of the exhibitor committee, places a greater burden of proof on the exhibitor than on the distributor is, I am sure, the following: "... if, ... the arbitrators find that the distributors arbitrarily and willfully and without color of light, repudiated the license agreement"; the provision does not require the distributor to prove that the exhibitor repudiated his license agreement "arbitrarily and willfully and without color of light, whatever 'color of light' means. Now, if the distributor failed to ship the exhibitor's feature, compelling the exhibitor to have a dark house for an evening or two, what difference does it make whether the distributor's failure is owed to 'arbitrariness and willfulness and to absence of 'color or light'? Would the arbitrators refuse, in such an event, to award damages to the exhibitor? Why, then, this hair-splitting? It serves no other purpose than to give to the exhibitors more grounds for suspicion that the distributors are trying to take every little advantage they can.

"Page 12 (2). Clearance. Clause recognizing propriety of clearance, whether legally or illegally imposed, was included without consultation, is new, and extremely dangerous."

The clause referred to reads as follows:

"The parties hereto recognize: that clearance, reasonable as to time and area, is essential in the distribution and exhibition of motion pictures; ..."

"Page 13 (3). Overbuying. Form was never discussed."

This provision considers an exhibitor not to have "overbought" if he should contract for 15% more than his maximum picture requirements. This provision, fair in itself, when combined with the provisions of the cancellation clause, places the circuit theatres even in a more advantageous position than they are now, because it enables them to contract for the product of one additional producer, thus making competition still harder for the small theatre owner. This should prove to the independent exhibitors what a fallacy it is for them to accept an enlarged cancellation right instead of the outright elimination of block booking. An enlarged right is of definite disadvantage to them; also to the independent distributors, whose chances of selling their product become smaller.

"Page 14 (XV), 'Agreement to Arbitrate.' Neither this nor other arbitration features were ever discussed in the Negotiations, except with reference to clearance. Numerous suggestions made by the General Counsel are included in the latest draft, but the adoptions and rejections of his suggestions were not discussed even with him."

There seems to be very little to fight about the arbitration rules, for Mr. Abram F. Meyers, Allied general counsel, found these rules in the main fair; they were in accordance with the suggestions he had made to the distributors. There are only a few minor details that he felt should be taken care of, but HARRISON'S REPORTS believes that an agreement on these could have been reached without much trouble.

"Page 15-16 (XVII)—Term. No discussion. The references to the effect on the Code of possible legislation was never discussed and is out of line with assurances given in reference to the Neely Bill.

This provision deals with the duration of the Code and with the conditions under which a signatory may withdraw

(Continued on last page)

"Should A Girl Marry" with Warren Hull and Anne Nagel

(Monogram, June 10; time, 61 min.)

A fair program drama. Although the plot is somewhat involved, it holds one's interest because of the sympathy one feels for the heroine. The action keeps one in suspense, for it is not until the end that the threat of disaster to the heroine is removed. Two characters are extremely obnoxious, by reason of their actions; but no effort is made to awaken sympathy for them and, in the end, each is made to pay for his misdeeds. The romance is pleasant:—

Upon her release from prison, Mayo Methot joins her husband (Weldon Heyburn), who had been her partner in crime; she surprises him by stating that she would never again do anything crooked, for she had been reformed by an elderly woman prisoner, who had received a life sentence for a murder charge and who was broken in health. This woman had given her newspaper clippings, which gave information as to the whereabouts of her daughter (Anne Nagel), who had been born in prison but who had no idea that the couple who had adopted her were not her real parents; she wanted Miss Methot to see that no harm would come to the girl. Heyburn finds the clippings and, without telling Miss Methot what he was doing, starts blackmailing Miss Nagel's foster parents. Miss Nagel finds out about it and is heartbroken, for she felt that she would have to break her engagement to a promising surgeon (Warren Hull). Hull stands by her and forbids her parents to give any more money to Heyburn. Heyburn, knowing that Hull was in line for the position of chief surgeon at his hospital, decides to sell the information to Lester Matthews, Hull's rival for the position. But he meets with an accident and is taken to the hospital, where he dies. Matthews finds the clippings and threatens to expose Miss Nagel's past unless Hull would resign. Miss Methot, having found out about everything, goes to Matthews, demanding the return of the clippings; when he refuses, she shoots him. Hull operates on Matthews and saves his life. Grateful for this act, Matthews promises never to mention what he knew. Hull is made chief; he and Miss Nagel marry.

David Silverstein and Gay Newbury wrote the story and screenplay, Lambert Hillyer directed it, and E. B. Derr produced it. In the cast are Aileen Pringle, and others.

Not for children. Suitable for adolescents and adults. Class B. Tempo, fairly fast.

"Bulldog Drummond's Bride" with John Howard and Heather Angel

(Paramount, June 30; time, 56 min.)

This is the most far-fetched story in the "Drummond" series; but at least it is novel in one respect, in the fact that the hero and the heroine are finally married. Despite the "wild" story, melodrama-loving fans may enjoy it, since there is fast action throughout. The closing scenes, showing the hero pursuing the villain across roof tops, are quite exciting. There is plentiful comedy, provoked by the hero's valet and his bungling friend:—

Eduardo Ciannelli executes a daring London bank robbery. By working with a house painter who was decorating an apartment in a building close to the bank, he is able to enter the apartment, hide the money in a radio, and then don workman's clothing. Thus he is able to elude the police. It develops that the apartment was to be occupied by John Howard (Bulldog Drummond) and his bride (Heather Angel) after their marriage. Ciannelli frightens everyone away by pretending to be insane. He is taken away in an ambulance but escapes. Howard, who had realized what had happened, goes back to the apartment to look for the money; but Ciannelli had arrived there first. Again he escapes; when the lights are turned on Howard finds a dead man, the house manager, who had tried to force Ciannelli to split the money with him. Without realizing that the money was in the radio, Howard ships the radio to Miss Angel, who had gone to France to arrange for her wedding. When he later discovers his error, he flies to France, instructing Denny and Clive to follow him by car. He runs into trouble with the police, who had received instructions from Scotland Yard to hold him. In the meantime, Ciannelli and his assistant arrive, intent on getting the radio. But Howard outwits them, and turns the money over to the Scotland Yard authorities, who had followed him. Ciannelli is killed in his own trap. Howard and Miss Angel finally marry.

H. C. McNeile wrote the story, and Stuart Palmer and Garnet Weston, the screen play; James Hogan directed it. Elizabeth Patterson and others are in the cast.

Not for children, but suitable for adolescents and adults. Class B.

"Stronger Than Desire" with Walter Pidgeon and Virginia Bruce

(MGM, June 30; time, 78 min.)

Just a fair melodrama. When this was first produced in 1934, under the title "Evelyn Prentice," William Powell and Myrna Loy appeared in the leading parts; but, even with those stars, it was no more than fair entertainment. Material of this type is certainly not deserving of a remake, for it is outmoded, lacks action and human appeal. The only redeeming features in it are good performances and a pretty lavish production. The scene near the end, where Ann Dvorak tearfully confesses her guilt, is appealing:—

Virginia Bruce, married to Walter Pidgeon, a famous lawyer, is lonesome because her husband's business kept him away from home and from her. She becomes acquainted with Lee Bowman, who appeared to be a charming person; she does not know that he was married to Miss Dvorak, and that he made a practice of blackmailing wealthy married women. Just when Miss Bruce was looking forward to a European vacation with her husband and her child (Ann Todd), she receives a note from Bowman asking her to see him. She goes to his apartment, where he confronts her with four innocent letters she had written to him. Knowing that others might misinterpret the contents of the letters, she realizes she would have to pay him for them. His demands are exorbitant. Finding a gun in a bureau drawer, she points it at him. During a scuffle, the gun goes off, and Bowman falls to the ground. Miss Bruce runs away, taking the letters with her, just as Miss Dvorak arrives. Miss Dvorak is arrested for the murder. Miss Bruce pleads with Pidgeon to represent her. On the last day of the trial, Miss Bruce goes to court and admits her guilt. Although shocked, Pidgeon continues with the case and proves that Miss Dvorak had really killed Bowman. But he pleads for an acquittal, which he obtains. He and Miss Bruce are reunited.

W. E. Woodward wrote the story, and David Hertz and William Ludwig, the screen play; Leslie Fenton directed it, and John W. Considine, Jr. produced it. In the cast are Ilka Chase, Rita Johnson, Richard Lane, and others.

Unsuitable for children or adolescents. Adult fare. Class B.

"Bachelor Mother" with Ginger Rogers and David Niven

(RKO, Aug. 4; time, 81 min.)

A delightful comedy. The story offers several novel twists, holding one's attention throughout. There are a number of situations that provoke hearty laughter because of the witty dialogue and the expert performances by the leading players. It has plentiful human appeal, too, awakened by Miss Rogers' devotion to a foundling baby. This is the type of picture that should go over well with the masses as well as with class audiences, for, in addition to comedy and human appeal, it has romance, some music, and good production values:—

Miss Rogers, a clerk in a department store, receives a notice of dismissal to take effect at the end of the week. During her lunch hour, she goes to an employment agency. As she leaves, she notices an elderly woman leaving a baby on the steps of a foundling home. She picks the baby up and takes it inside, where she tells the authorities what she had seen. But they, accustomed to such "tales," insist, despite her denials, that it was her child. She leaves, after first having given them her name, address, and the name of her employer. Ernest Truex, head of the foundling home, goes to the see the owner of the store. Instead, he interviews the owner's son (David Niven) and induces him to retain Miss Rogers permanently so as to enable her to keep her baby. Niven agrees to this. He and Truex send the baby to her with gifts. She tries to give the baby back to Niven; but when he upbraids her for her "unmotherly" actions, she decides to keep the baby. Niven visits her so as to give her advice. In time their friendship ripens into love. Frank Albertson, who was employed at the store, is angry when Niven demotes him. He sends a letter to Niven's father (Charles Coburn) telling him of his son's friendship with Miss Rogers; he also intimates that Niven was the father of the child. Coburn, touched at the idea of having a grandson, insists that Niven marry Miss Rogers; otherwise, he would obtain a court order taking the child away from her. After many complications, Miss Rogers accepts Niven's marriage proposal, even though he still believed that the child was hers.

Felix Jackson wrote the story, and Norman Krasna, the screen play; Garson Kanin directed it, and B. G. DeSylva produced it. In the cast are E. E. Clive, Elvert Copen, Jr., and others.

Suitability, Class A. Action pretty fast.

"Four Feathers"

(United Artists, [1939-40] Aug. 4; time, 116 min.)

An excellent British production. No matter how accustomed audiences may be to "big" pictures, the lavishness of this technicolor work, particularly in the war scenes between the British soldiers and the native tribes, will leave them breathless. The mob scenes during the battles have been handled so realistically that one is held in tense suspense, although the brutality of the fighting in a few spots may prove harrowing for women. There is deep human appeal in many of the situations, awakened by the suffering of several characters with whom one is in sympathy. The bravery of the leading characters under the most trying circumstances is inspiring. Although the love interest is minimized, it has an important bearing on the story, for the hero, by reason of his love for the heroine, eventually redeems himself in the eyes of his friends:—

On the eve of the departure of his regiment to join Kitchener's army in the Sudan, John Clements, a young, sensitive man, who had been forced into army life because of family tradition, hands in his resignation. His three intimate friends are shocked; each of them sends him a white feather, indicating cowardice. His sweetheart (June Duprez) breaks their engagement. Clements asks her, too, to give him a white feather. Wishing to regain Miss Duprez' affections, Clements leaves for Egypt, his purpose being to show his bravery and to return the white feathers to the givers. Disguised as a mute native, he makes his way up the Nile through hostile Arab ground. In the meantime, his three friends had been chosen to lead their men in a bait to trap the Mahdi. Ralph Richardson, the leader, who had gone to the mountains to look for the tribes, accidentally drops his sun helmet. He faints. By the time he is found, the intensity of the sun had blinded him. Before he could warn his men, the Dervishes attack. Richardson is left for dead, and his two friends are made prisoners; the remainder are killed. Clements, who had pretended to be fighting with the natives, leads, at times carrying, Richardson across the desert to English headquarters, without revealing his identity. He then slips one of the feathers into a letter Richardson had been carrying in his pocket. He again joins the tribe in an effort to save his other two friends. This he finally accomplishes, but not until he had suffered tortures at the hands of the tribe, who had discovered his identity. He and his friends are directly responsible for Kitchener's eventual victory. In the meantime, Richardson, who had returned home still unaware of who had been his benefactor, becomes engaged to Miss Duprez. But when he learns the truth, he releases Miss Duprez. A joyful reconciliation takes place between Clements and Miss Duprez.

A. E. W. Mason wrote the story, and R. C. Sheriff, the screen play; Zoltan Korda directed it, and Alexander Korda produced it with Irving Asher as associate producer. C. Aubrey Smith and others are in the cast.

Suitability, Class A.

Note: Paramount produced this in 1929, with poor results.

"Hell's Kitchen" with "The Dead End" Kids, Margaret Lindsay and Ronald Reagan

(Warner Bros., July 8; time, 81 min.)

This melodrama, with a slight comedy touch, is somewhat depressing entertainment. Not only is the background sordid, but the story itself is morbid, for it treats with cruelty and suffering. One of the most offensive characters seen in a long time is that portrayed by Grant Mitchell. As the sadistic head of a boys' reform school, he goes so far as to punish one of the boys, who had a bad cough, by putting him in a refrigerator, thereby causing the boy's death. But that is only one of his offensive acts. The closing scenes, too, are objectionable, for they show the young boys taking the law into their own hands in dealing with Mitchell. Stanley Fields, as a reformed gangster who becomes interested in the school, supplies the light touch. One exciting feature is a rough hockey game. The romance is routine:—

Fields, a gangster, who had been arrested and tried, is given a suspended sentence; the Judge tells him that if he could prove within a year that he had changed for the better, the sentence would be removed. Fields, following the advice of his nephew-lawyer (Ronald Reagan), decides to give up all his rackets. By so doing, he incurs the enmity of a hockey manager. Having contributed large sums of money to a reform school headed by Mitchell, Fields decides to take an active interest in it; he obtains an appointment to work with Mitchell. When he arrives, he is amazed to learn that Mitchell had kept the money for himself, and furthermore that he was treating the boys cruelly. He soon

changes things, thereby winning the boys' respect. Reagan, with the help of Margaret Lindsay, a teacher, forms a hockey team. Fields arranges for the team to play another school, for which he hires a large place. Mitchell plots with the hockey manager to ruin Fields. The manager puts his own rough players on the competing school's team, and then bets Fields a large sum of money. Fields' team naturally loses, but, when he finds out about the double-cross, he knocks down the manager. Since this was against the parole rules, he is forced to run away. Mitchell goes back to his old tactics. The boys become enraged when one of the inmates dies because of Mitchell's cruelty. They rebel; they try Mitchell and find him guilty. Fields arrives in time to stop them from killing Mitchell. He sets the school in order, and then gives himself up to serve his term. Reagan and Miss Lindsay take charge.

Crane Wilbur wrote the story, and he and Fred Niblo, Jr., the screen play; Lewis Seiler and E. A. Dupont directed it.

Too morbid for children. Suitable for adolescents and adults. Class B.

"The Man Who Dared" with Jane Bryan and Charley Grapewin

(1st National, June 3; time, 60 min.)

When this picture was first produced in 1931, under the title "The Star Witness," it was excellent entertainment. But many gangster pictures, more exciting than this, have been produced since that time; consequently, this remake is only fair program entertainment. As was the case in the first picture, the gangster is not glorified; instead, he is made to appear as something despicable compared to decent, upright citizens. One situation may prove too harrowing for the average spectator; it is the one where the gangsters beat a man unconscious. The closing scenes hold one in fair suspense, affording some comedy in addition to drama because of the amusing characterization by Charley Grapewin as an old man with a strong will.

The story deals with a family, consisting of father (Henry O'Neill), mother (Elisabeth Risdon), two sons (Jimmy McCallion and Dickie Jones), daughter (Jane Bryan) and grandfather (Grapewin), who are witnesses to the murder of a government investigator by gangsters. They are terror-stricken when the gangsters enter their home so as to escape through the rear of the house. They voluntarily go to the District Attorney's office where, from pictures, they pick out one of the gangsters, who is arrested. A few days before the trial O'Neill is kidnapped by gangsters and, when he refuses not to testify, is beaten unconscious. This incident frightens the family; and later, when the gangsters kidnap Dickie, they make up their minds not to testify. Grapewin is the only one who insists that they testify. On the day of the trial, Grapewin escapes from police surveillance, and goes out in search of Dickie. He finds him; after a terrific battle with the gangsters, in which the police join, he rescues Dickie and rushes to court with him. Through Grapewin's testimony, the gangster is convicted.

Lucien Hubbard wrote the story, and Lee Katz, the screen play; Crane Wilbur directed it, and Bryan Foy produced it. In the cast are Fred Tozere and John Russell.

Unsuitable for children, but satisfactory for adolescents and adults. Class B. Tempo, fairly fast.

"Nancy Drew Trouble Shooter" with Bonita Granville, Frankie Thomas and John Litel

(Warner Bros., June 17; time, 69 min.)

Those who enjoyed the two previous pictures in this series will find this one, too, fairly entertaining. Again Bonita Granville and her young friend (Frankie Thomas) set out to solve a mystery; but this time Bonita is more interested in the case, for a good friend of her father's (Aldrich Bowker) was involved in the murder, although innocent of the crime. As usual, laughter is provoked by the methods employed by the two youngsters to gain information. The closing scenes, in which Bonita and Frankie are trapped in a plane from which the pilot had jumped, are fairly exciting and somewhat comical. There is a suggestion of a romance between Bonita's father (John Litel) and Charlotte Wynters, which Bonita at first resents, for she believed Miss Wynters to be a siren. But she later grows fond of her and, therefore, does not object to her father's attentions to Miss Wynters; the romance is, however, not culminated.

Kenneth Gamet wrote the original screen play; William Clemens directed it. In the cast are Edgar Edwards, Renie Riano, Roger Imhof, Willie Best, and others.

Suitability, Class A. Tempo, fairly fast.

from it. The part objected to seems to be in the third paragraph, reading partly as follows:

"... (a) in the event that any legislation enacted after the date hereof shall be inconsistent with this Code or any provision hereof or shall require a substantial change in the method of carrying on its business, provided that such withdrawal shall be effective only in the territory governed by such legislation; . . ."

"Page 20 (3). Disputes relating to clearance. Contrary to all discussions during the negotiations, as above pointed out, and appeared for the first time in the March 30 draft."

The provision referred to deals with disputes between exhibitors, and provides for the right of the distributor to choose an arbitrator. The Allied leaders felt that, in the event that the exhibitor complained against an affiliated exhibitor, the arbitration board would be lopsided, in that the independent exhibitor would have to win to his side both extra arbitrators, chosen by the three arbitrators—complaining, exhibitor, exhibitor complained against, and distributor involved. But even this could have been adjusted to the satisfaction of the independent exhibitors, if the Code had been accepted, for the distributor representatives in Minneapolis implied, by their manner, that an agreement could have been effected on this point.

"In order to appreciate the significance of these changes, most of which appeared for the first time in the March 30 draft, it should be remembered that your Committee had no contact with Mr. Rodgers' group after January 16; that the distributors produced nothing in the way of a revised draft between January 16 and March 30, and this in spite of the fact that it was published in the trade press and generally known that the authority of the Allied Committee would lapse on March 1st. The foregoing fully vindicates the position taken by Allied on December 1 and restated on numerous occasions since then that it would not take final action on the proposals until it had a complete program which the distributors would pronounce final."

(To be continued next week)

PROOF OF MONOPOLY

Under the heading, "Majors to Unite in Opposing New Equity Action," *Film Daily*, in its issue of May 1, wrote partly as follows:

"Filing of the new equity suit by the Government against the majors and four Griffith-controlled circuits in the Southwest, in the opinion of qualified industry observers, means:

"Virtual assurance that there will be a defensive 'united front' established by the majors and the large independent circuits which are, according to the Department of Justice, to be singled out for general court offense in an attempt to 'make little ones out of big ones' . . ."

The Government would want no better proof to convince the court that a monopoly exists in the motion picture industry. If the major should make a common cause, the court would learn that, in the existing monopoly, whenever one of the monopoly's components is attacked, every other component rushes to its rescue.

MORE SUITS AGAINST INDEPENDENT THEATRE CHAINS

According to the trade papers, the U. S. Government may file a suit against the Schine circuit, the home office of which is at Gloversville, N. Y., and which has interests extending in other states beside New York State; also against a Southern circuit, meaning perhaps the Sprague circuit.

If the Government should file a suit against the Schine circuit, this circuit may not receive much sympathy from the newspapers of this state, for in many cases its executives have acted, to the knowledge of this paper, in any other but a sympathetic way.

In one instance, the manager of a theatre went so far as almost to persecute the local newspaper, simply because its publisher refused to insert an advertisement that appeared to him as being contrary to post office regulations. For this, the Schine theatre manager withdrew his ad from that paper.

The trouble with large chains is that they do not know how to use the great power they acquire as a result of the ownership of a large number of theatres; they lose all sense of proportion. The Dallas case is an example.

Speaking to the delegates of the National Retail Association, which convened at Rochester, New York State several

months ago, Mr. Wendell Berge, special assistant attorney-general, said that Government regulation of industry is inevitable where competition fails or cannot be restored as the "natural checkmate upon irresponsible use of power."

The *New York Times*, too, made a similar comment editorially several months ago; it dealt with the report of the Federal Trade Commission, which was made after an investigation of monopolistic tendencies in the steel industry. After calling the report as "perhaps one of the most significant papers which has come from Washington in recent months," *The Times* said partly:

"... Unless this 'fundamental principle of capitalism' [reducing prices in a falling market] is followed, the Commission holds that there can be no real recovery from depression. Worse still, private capitalism will dig its own grave. For the absence of free competition will simply invite more and more public regulation of prices, of wages, of production schedules and gradually of everything else; and in the end private business will find, as it has already found to its dismay in totalitarian nations, that the only alternative to a system of free competition is outright regimentation by a government in complete control of the whole situation."

The moving picture producers should realize that we cannot go back; we must move forward. One of the forward moves they should make should be to break up voluntarily the stranglehold they have been having upon exhibition. The Neely Bill is a progressive move, and they should not oppose it, particularly since they, too, will benefit from its provisions, not only by getting better prices for their better pictures, but also by gaining the good will of the public. Let them not remain under the illusion that the fight against block-booking will let up. If they keep on opposing its outlawing, not only this regulation but other regulations will follow.

Take, for instance, the following regulation: I have read in the newspapers a short time ago that the Government is seeking the passage of a law that will make the officers of the corporation responsible for any law violation by the corporation. If such a law were passed, the heads of corporations, moving picture corporations included, will have no one to blame but themselves.

FORECASTS OF STORIES ANNOUNCED FOR PRODUCTION IN 1939-40

First National-Warner Bros.

(Continued from last week)

"WE ARE NOT ALONE," the story by James Hilton—a drama, dealing with the hanging of two innocent persons: The father, a doctor, had been called to attend a woman (heroine) who had attempted to take her own life. Because the landlady where the heroine lodged ordered her to leave, the doctor takes her to his own home, so as to look after his young son, a nervous boy and a liar. Some time later, the doctor's wife is found dead of poison, and the doctor and the heroine are arrested. Circumstantial evidence is so strong against them that they are convicted and hanged. Years later the son confided to a friend that, through his pranks, his mother had taken the wrong medicine to cure her headache. He had done nothing about it, though. Who would have believed a liar?

Comment: This is a powerful but very unpleasant tragedy. Who can relish seeing two persons hang for murder when they were innocent? Even the strong pity one feels for the condemned persons is impotent to overcome the feeling of horror.

Forecast: There is no doubt that Warner Bros. will alter this story considerably before putting it into pictures. As it stands, it should make a powerful picture, but a decidedly unpleasant entertainment. It should draw well from among the morbidly inclined; and, if popular actors should be given the leading parts, the picture's drawing powers will naturally be enhanced.

"YOU CAN'T ESCAPE FOREVER," the Thelma Strabel *Cosmopolitan Magazine* story, a romantic comedy-drama, dealing with a girl who is engaged to one man but who meets and falls in love with another man, eventually marrying him.

Comment: The story is light weight, but there is enough action to keep one interested, and enough comedy situations to keep one amused all the time.

Forecast: The picture should turn out of good quality, and since George Brent has been announced as the male star it should draw in proportion to his popularity.

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RODGERS ANSWERS THE ALLIED COMMITTEE'S REPORT ON THE CODE

On July 3, W. F. Rodgers, acting chairman of the distributor negotiating committee, issued a statement to the trade answering the Allied negotiating committee's report on the rejection of the code, giving his reason for his committee's withdrawal from negotiations with Allied.

This statement will be printed in these columns in full, in two or three installments, as space permits; it will be treated in the same manner as the Allied committee's report; that is, comment will be made on it whenever comment is needed. Where this paper feels that Mr. Rodgers is right in his contentions, it will say so; likewise, whenever Mr. Rodgers is, in this paper's opinion, wrong, it will again say so.

Mr. Rodgers' statement:

"The Distributor's Committee and those they represented in the Trade Practice conferences and negotiations heard the Allied president read a statement at Minneapolis citing the reasons for Allied's rejection of the suggested Trade Practice Code.

"Each distributor represented had attended the Minneapolis meeting by invitation and under the impression that there was to be an open forum when a frank discussion would be had of the Code, its principles, and what it was believed possible to accomplish under its application.

"The distributors were heard on Wednesday, June 14th, and the following day learned to their amazement that the Allied Board had previously accepted their Negotiating Committee's recommendation to reject the Code and the rejection was accordingly decided *the day before the distributors had an opportunity to be heard.*"

Comment: Mr. Rodgers is right when he says that the report had been adopted by the Allied Board of Directors one day before the distributors were given a chance to air their views at the convention; it was merely modified slightly on Thursday, the last day of the convention, to make it conform with the statements made by Mr. Sears on that day. Such an act was, of course, not in accordance with the best ethics. After all, Allied had invited the distributor representatives and these accepted only because they had been assured that there would be a free and fair discussion of the provisions of the Code on the floor of the convention, where every one would be given a chance to speak his mind. "Each theatre owner," Col. Cole, Allied president, is quoted in the May 20 issue of Motion Picture Herald, as having said, "will be given an opportunity to hear, and to answer the other side, and from there on he is on his own. . . . If the majority of theatre owners of the U. S. want to accept the trade practice reforms as submitted by the producers, they may rest assured that Allied will find no fault, and we are positive that the producer-distributors feel likewise."

The publicity matter that went out from the offices of other Allied leaders, too, assured every one in the trade that the convention floor would be an open forum. By voting a rejection of the Code in advance, and afterward by submitting a formal report of the reasons for the rejection on the floor of the convention before a vote was taken, the Allied board of directors failed to act in a spirit of fair play, for their action had the natural effect of influencing the individual Allied members, not so much by the merit of the Allied negotiating committee's contentions, but by the mere fact that the Allied board had already acted, and would expect the membership to ratify its action. This made the distributor representatives feel that to take a vote was useless.

The Allied board could have avoided criticism if it had designated two or three spokesmen to condemn the Code on

the convention floor, employing the criticism contained in the committee's formal report without a reading of the report itself, just as the distributor representatives praised it on Wednesday afternoon, and as they would have done again on Thursday afternoon. As a matter of fact, such a procedure had been adopted by Al Steffes, who, speaking on the convention floor as an individual, attacked the Code scathingly. He minced no words, and his language was at times harsh; yet no one resented his method, because that was exactly what the proponents of the Code expected—a hard fight for as well as against it, but an open one. Then a vote could have been taken to ascertain the sentiment of the convention. After such a vote, the Allied chairman could have called a meeting consisting only of Allied members, to take a vote on it.

It must be remembered that a vote on the floor of the convention, in which every exhibitor present, regardless of his affiliation, would take part, would not have been binding on Allied. That is exactly what Col. Cole said in a statement that was printed in the trade papers of May 22. After pointing out that the convention would be in the nature of a mass meeting, and that, although a vote would be taken of all the exhibitors present, the results would not bind Allied, he added:

"Allied's policies are determined solely by vote of the directors, who represent every affiliate unit. I am not saying that the convention vote may not have a tremendous effect on the decision of the board, but many of the ballots will be cast by exhibitors from the Minneapolis area.

"Allied's board, however, represents all sections of the country, and a vote by the directors would be truly representative of Allied sentiment nationally."

Although Allied led, as said, those it had invited to the convention to believe that there would be a free and open discussion, followed by a vote of all exhibitors present, that the Allied organization would not be bound by this vote on the ground that it could be bound only by vote of its Board of Directors, but that the vote might have a great effect on the decision of the Board, it reversed the procedure: before calling for a vote, Col. Cole read the formal report of the exhibitor negotiating committee rejecting the Code, and announced that the Allied Board had already adopted unanimously its rejection. Thus the whole purpose of the open forum had been defeated, not to the credit of Allied and of those who stand by the Allied cause.

The Rodgers statement continues:

"It was quite apparent to the distributors from the very outset of the negotiations in October last that some of the Allied representatives participating in the negotiations did not want a Code in any form.

"This seems to be borne out by the nature of the report rejecting the Code. Contrary to the statements contained in this report, the Code covers, not substantially, but wholly, every single item discussed and agreed upon with the Allied Committee. In addition, the Code also contains many other provisions favorable to exhibitors that were not even requested of the distributors."

Comment: Mr. Rodgers' statement, ". . . every single item discussed and agreed upon with the Allied Committee" will not find exhibitors and distributors in agreement. After the November 3 meeting of the two negotiating committees in Chicago, Rodgers, in his capacity of acting chairman of the distributor committee, issued a statement to the effect that an "understanding" had been reached between the two committees. On the other hand, the statement issued by Col. Cole, just as he and his committee were rushing to catch the train, did not contain the word "understanding"; it merely said that all subjects brought forward by both sides had been "fully discussed," that publication of details had to await final action "based on a written

(Continued on last page)

**"The Man in the Iron Mask" with
Louis Hayward and Joan Bennett**

(United Artists [1939-1940], Aug. 11; time, 110 min.)

Produced with lavishness and acted with skill by a competent cast, this swashbuckling costume melodrama is good mass entertainment. The story is interesting, dealing with court intrigue during an exciting period of France's history. Parts of the picture are, however, draggy because of an overabundance of dialogue, which slows down the action. As a matter of fact, with the exception of one or two good fights during the first half, most of the excitement is concentrated in the last thirty minutes; it is then that the spectator is held in tense suspense. The diabolical method employed by King Louis XIV to torture his twin brother by placing an iron mask over his head and face may prove somewhat gruesome to sensitive spectators. The romance is charming:—

King Louis XIII is faced with a problem when the Queen gives birth to twin sons. Realizing that two heirs to one throne would prove dangerous, he entrusts the second born of the twins to the care of his good friend D'Artagnan (Warren William), extracting a promise from him that he would not disclose his royal birth; they feel confident that no one would learn the truth. But Fouquet (Joseph Schildkraut), a schemer, had overheard the conversation. Upon the death of the King, his son Louis XIV (Louis Hayward) succeeds him. The new King, slightly effeminate in manner, but cruel and vicious as a ruler, plans with Fouquet means of taxing the people to the point of starvation. Philippe, the twin brother (also played by Hayward), grows up courageous, brilliant, and kind. Through Fouquet's scheming, he is brought to the attention of Louis XIV; the King, not knowing of their relationship, uses Philippe to take his place on dangerous missions. Philippe meets and falls in love with Maria Theresa (Joan Bennett), the King's fiancée. She is puzzled at the change in his manner. When Louis finds out that Philippe was his brother, he plans to get rid of him. He has an iron mask placed over his head and face, and then throws him into prison. D'Artagnan and his three musketeers, with the help of Maria Theresa, to whom they had revealed the truth, free Philippe. Louis and Fouquet eventually die in a trap they had set for Philippe. Philippe becomes King and marries Maria Theresa.

The plot was adapted from the novel by Alexander Dumas; George Bruce wrote the screen play, James Whale directed it, and Edward Small produced it. In the cast are Alan Hale, Walter Kingsford, Miles Mander, Marian Martin, and others.

Suitability, Class A.

**"Second Fiddle" with Tyrone Power
and Sonja Henie**

(20th Century-Fox, July 14; time, 86 min.)

The combination of star names and the popularity of Irving Berlin's music should assure good box-office returns for this picture. It is, however, just fairly good entertainment, slow in some spots, and obvious in its plot development. The Sonja Henie fans may be disappointed, for the skating is kept down to a minimum. Miss Henie does one number, a tango, with Stewart Reburn, and a solo; missing are the large group skating numbers and the lavish mountings. The comedy is good, and the romance pleasant:—

In their long search for a girl to take the heroine's part in an important picture, the motion picture studio sends Tyrone Power, a publicity agent, to interview Miss Henie, a Minnesota school teacher. He induces her to leave for a screen test; her aunt (Edna May Oliver) accompanies them. Her test is successful and she is given the part. In order to build up publicity for her, Power conceives the idea of linking her name romantically with that of Rudy Vallee, a star. Vallee is in on the scheme. But Miss Henie takes it all seriously and falls in love with Vallee; she is heartbroken when she learns the truth. She and her aunt go back home. Although she is acclaimed as a great find when the picture is previewed, she refuses to return to Hollywood. Power, who really loved her, goes to plead with her. He arrives in time to prevent her from marrying Lyle Talbot, whom she did not love. He confesses his love for her, telling her that he had written all the notes and sent the flowers that had presumably been sent to her by Vallee. She forgives him and they are united.

George Bradshaw wrote the story, and Harry Tugend, the screen play; Sidney Lanfield directed it, and Gene Markey produced it. In the cast are Mary Healy, Alan Dinehart, Minna Gombell, Spencer Charters, and others.

Suitability, Class A. Tempo, slow in spots.

**"On Borrowed Time" with Lionel
Barrymore, Sir Cedric Hardwicke
and Bobs Watson**

(MGM, July 7; time, 98 min.)

A fine artistic achievement, but limited in appeal to class audiences. For all its light, homely, and sentimental touches, it is pretty sombre entertainment, since the underlying theme is that of death. There are scenes that tear at one's heart; particularly effective is the situation in which young Bobs Watson tearfully accuses his grandfather of not loving him any longer. The performance given by this youngster is something that spectators will talk about for a long time. He so endears himself to the spectator, that his death in the end is extremely depressing; as a matter of fact, all five characters who die are people one likes; therefore, one feels unhappy about their deaths. Audiences who enjoy something novel should find this picture to their liking:—

Death, in the form of a man called "Mr. Brink" (Sir Cedric Hardwicke), appears on earth, bringing death to a young couple. Their child (Bobs Watson) is cared for by his grandfolk (Beulah Bondie and Lionel Barrymore). A greedy aunt (Eily Malyon) tries to obtain control of Bobs so as to get his inheritance, but Barrymore warns her to keep away from them. "Mr. Brink" visits granny and takes her away. He then visits Barrymore and attempts to take him; but Barrymore fights him because he felt he had to remain on earth to help Bobs. Barrymore tricks "Mr. Brink" into climbing up a tree from which he could not descend until Barrymore ordered him to do so. Word gets around that Barrymore was crazy. Miss Malyon tries to get a court order awarding her custody of the boy and confining Barrymore to an insane asylum. But finally Barrymore convinces Henry Travers, a doctor, of his sanity. Travers begs him to release "Mr. Brink" for the benefit of mankind, threatening otherwise to carry out the court order. "Mr. Brink" brings about an accident to Bobs that cripples him. Barrymore, carrying Bobs in his arms, finally begs "Mr. Brink" to descend and to bring death to both himself and Bobs, which he does.

The plot was adapted from the play by Paul Osborn; Alice D. G. Miller, Frank O'Neil and Claudine West wrote the screen play, Harold S. Bucquet directed it, and Sidney Franklin produced it. In the cast are Una Merkel, Nat Pendleton, Grant Mitchell, and others.

Too sombre for children; Class "A" from a moral standpoint, but "B" for general appeal. Tempo, somewhat slow.

**"The Magnificent Fraud" with
Akim Tamiroff, Lloyd Nolan
and Patricia Morison**

(Paramount, July 21; time, 77 min.)

This melodrama, revolving around political intrigue in a mythical country, is just fair entertainment. The story is extremely far-fetched; for instance, one is supposed to take seriously the idea that an actor, by means of makeup, could fool everyone into believing that he was actually the man whose place he was taking. The idea may intrigue children but adults will find it hard to take. The picture has a few exciting moments as a result of this deception. Comedy and a formula romance round out the plot. Akim Tamiroff's performance is the outstanding feature:—

The day before the arrival of an American millionaire (Ralph Forbes) to negotiate a \$10,000,000 loan with the president of a mythical country, the president (Akim Tamiroff) is injured by a bomb thrown by a radical. Before he dies, he gives to his confidential secretary (Lloyd Nolan) the name of the man he wanted to succeed him. Nolan, eager to carry out the president's last wish, engages a clever actor (also played by Tamiroff), who, by means of makeup, is able to pose as the president. At first he refuses to go through with the business procedure of the loan because he was having so good a time living in luxury. He finally makes arrangements to sign the loan agreement, at which time he names the man to succeed him—the man named by the real president. An irate conspirator, who had had visions of becoming president, shoots and kills the actor, and is himself killed by a loyal subject. Thus everyone thinks that their president had died a martyr. His work done, Nolan turns to Patricia Morison, with whom he had fallen in love; she had been Forbes' fiancée, but, upon meeting Nolan, had transferred her love to him.

Charles G. Booth wrote the story, and Gilbert Gabriel and Walter Ferris, the screen play; Robert Florey directed it, and Harlan Thompson produced it. In the cast are Mary Boland, Steffi Duna, Barbara Pepper, George Zucco, and others.

Suitability, Class A. Tempo, somewhat slow in spots.

"The Forgotten Woman" with Sigrid Gurie
(Universal, July 7; time, 68 min.)

A fairly good program melodrama with human interest; it should direct an appeal mainly to women. The story is not new; nevertheless it holds one's interest well because of the sympathy one feels for the heroine, who, although innocent, is persecuted by the law. There are several scenes that stir one's emotions as a result of the sacrifice on the part of the heroine for her child's sake. Sigrid Gurie shows to advantage in this picture, particularly in the dramatic scenes:—

Miss Gurie and her husband (William Lundigan), an artist, advertise for a couple to share expenses on their automobile trip to Florida. Unknown to them, the two men who answer the advertisement are crooks and killers. They force Lundigan and his wife to accompany them on a holdup, during which the watchman is killed. In the police chase that follows, Lundigan and one of the crooks are killed, the other crook escapes, and Miss Gurie is arrested. The district attorney (Donald Briggs) refuses to believe her story and prosecutes her. She is convicted and sent to prison, where her baby is born. The child is taken from her and put in an institution. Upon her release, she tries to get the baby, but is told that she would have to show that she could support the child before they would release him. In the meantime, the other crook is caught and confesses during Briggs' absence from the office. This information is kept from Briggs on instructions from Paul Harvey, a politician, for fear lest it would ruin his career. Eventually he learns the truth and is shocked. He takes Miss Gurie's child from the institution to his own home, where his sister cares for him. Harvey, failing to persuade Briggs not to prosecute him on a corrupt banking charge, decides to use the information about Miss Gurie's innocence to ruin Briggs. Miss Gurie decides to work with him; but, when she realizes how kind Briggs was to her child, she changes her mind. She and Briggs fall in love with each other.

John Kobler wrote the story, and Lionel Houser and Harold Buchman, the screen play; Harold Young directed it, and Edmund Grainger produced it. In the cast are Eve Arden, Donnie Dunagan, Elisabeth Risdon, Ray Walker, and others.

Not for children. Suitable for adolescents and adults. Class B. Tempo, fairly fast.

"She Married a Cop" with Phil Regan and Jean Parker

(Republic, July 12; time, 66 min.)

A fair comedy, suitable for neighborhood and for small town theatres. Although the story is routine, it is developed in an amusing way, provoking laughter on several occasions. As an added attraction, Phil Regan sings a few songs, three of which are of the popular variety. The romance is pleasant:—

Jean Parker, producer of animated cartoons, looks for a singer whose voice could be dubbed to fit her new character, a pig. She is enchanted when she hears Regan, a policeman, sing. With the help of her supervisor (Jerome Cowan), she induces Regan to sign a contract, leading him to believe that he would appear in a picture. In the meantime she and Regan fall in love and marry. When the cartoon is previewed, Regan is humiliated when he sees that his voice was used for a pig. He quarrels with Miss Parker and they part. He goes back to the police force. Miss Parker gives up her work and moves to the tenement quarters where Regan lived with his family. Just when things begin to straighten out, another misunderstanding arises; this time Miss Parker leaves Regan. Regan finally realizes that people enjoyed hearing his voice in the amusing character of the pig. He goes back to the work and becomes reconciled with Miss Parker.

Olive Cooper wrote the original screen play; Sidney Salkow directed it, and Sol C. Siegel produced it. In the cast are Dorothea Kent, Benny Baker, Barnett Parker, Horace MacMahon, Oscar O'Shea, and others.

Suitability, Class A. Tempo, fairly fast.

"News Is Made at Night" with Preston Foster and Lynn Bari

(20th Century-Fox, July 21; time, 71 min.)

A good program melodrama, with plentiful comedy and a pleasant romance. The action is fast and exciting, holding one in tense suspense. Even though it is simple for one to identify the villain, this does not detract from one's interest in the development of the plot. The closing scenes, in which the hero and the heroine are trapped in the villain's apartment, are pretty thrilling:—

Preston Foster, managing editor of a powerful newspaper, believes in the innocence of Paul Guilfoyle, a gangster who had been sentenced to die on a murder charge. Even though it was against his principles to employ women reporters, Foster is compelled to employ Lynn Bari as a reporter because she knew too much about the case. But she makes a good assistant and Foster gradually weakens; as a matter of fact, he falls in love with her. By means of a ruse, Foster is able to stay the execution, thus giving him an opportunity to search further for the guilty person. He and Miss Bari finally do so; they prove that the gangster leader was none other than Foster's wealthy friend (Minor Watson), who had been responsible for the murder and for other murders. With the case finished, Foster turns his attentions to Miss Bari, who, too, loved him.

John Larkin wrote the original screen play, Alfred Werker directed it, and Edward Kaufman produced it. In the cast are Russell Gleason, George Barbier, Eddie Collins, and others.

The murders make it unsuitable for children. Good for adolescents and adults. Class B. Tempo fast.

"Career" with Anne Shirley and Edward Ellis

(RKO, July 7; time, 79 min.)

This homespun drama, revolving around small-town life and characters, is good entertainment. It exerts deep human appeal and has comedy, and towards the end it holds one in suspense. The story is simple but somewhat different; the ending, in particular, is novel, since it departs from the usual "boy-gets-girl" formula. One unpleasant situation is that in which a mob sets out to lynch an innocent man. The manner in which the intended victim stops them proves effective. The picture may show better than average box-office possibilities, for the winners of the Jesse Lasky "Gateway to Hollywood" contest appear in it, a fact that has been receiving radio and newspaper comment:—

Edward Ellis, a respected citizen of a small Iowa town, dislikes and mistrusts the town banker (Samuel S. Hinds). But Hinds attributes his dislike to the fact that he and not Ellis had been the successful suitor in a courtship involving the same girl. Ellis finds it difficult to convince his wife (Janet Beecher) that he really loved her and not the girl he had lost in his youth. His son (John Archer) falls in love with Hinds' daughter (Anne Shirley). She promises to wait for him until he returned from college. During his absence, Ellis, realizing the instability of Hinds' bank, withdraws his life savings. Hinds uses this as an excuse to close his bank. The infuriated depositors descend on Ellis, intent on hanging him, but he shames them into leaving. He then takes over the management of the bank, risking his own savings to do so. Archer returns from college, only to learn that Miss Shirley was marrying some one else. His father, who had once gone through the same heartache, consoles him.

The plot was adapted from the novel by Phil Stong; Dalton Trumbo wrote the screen play, Leigh Jason directed it, and Robert Sisk produced it. In the cast are Leon Errol, Alice Eden, and others.

Suitability, Class A. Tempo, somewhat slow.

FORECASTS

(Continued from last page)

"A CHILD IS BORN," based on the Mary McDougal Axelson play, "Life Begins," produced by Warners in 1932, with Loretta Young in the leading part. The present version will have Geraldine Fitzgerald ("Dark Victory"), Gale Page ("Four Daughters"), Jeffrey Lynn and Gladys George. It is a strong drama, unfolding in a maternity ward of a prison for women. The heroine, convicted for murder, is about to become a mother. The doctors tell her husband that it is a case where the two cannot come out alive, but he wants his wife. The heroine, however, facing a twenty-year term, pleads with the doctors to save the child and let her die. And that is what they do.

Comment: The first version turned out a powerful entertainment, but despite Miss Young's popularity the picture did not set the world afire. There is much human interest in the story, and considerable comedy, but its starkness is not pleasurable.

Forecast: The picture should turn out powerful, but unless radical alterations are made in the plot, it is doubtful whether it will fare any better than the first version fared. The demented character, who steals another woman's baby, should be taken out.

(To be continued next week)

statement setting forth all details," and that, since there was "no occasion for further oral discussions" at that time, the meetings had been suspended to enable a drafting committee to "reduce to writing all the matters discussed."

The two statements have created a controversy, Mr. Rodgers contending that an understanding had been reached, whereas Col. Cole that there had been no understanding. Mr. Rodgers carried the "feud" even as far as Minneapolis, unnecessarily; the question was not under controversy then.

Further, the statement, "the Code covers, not substantially, but wholly, every single item discussed and agreed upon with the Allied Committee," is likely to throw the exhibitors on a false scent; many of them might think that *all subjects* were discussed and agreed upon. Two items that are of great importance to the exhibitors were *not* agreed upon: one of them is block-booking, with its twin brother, blind-selling, and the other, theatre divorcement. The first, that is, block-booking, was discussed, but the distributors would not yield to it, offering to the exhibitors instead an enlarged cancellation privilege, which can hardly be called a fair substitute (on the blind-selling part no concession whatever was made); and on the second, that is, theatre divorcement, the distributor committee refused even to hold a discussion.

(To be continued next week)

THE CODE'S OBJECTIONABLE PARTS

(Continued from last week)

Again copying from the Allied negotiating committee's report and commenting on it:

"3. *Reports of steps being taken to circumvent the provisions of the Code.* While your Committee does not take the position that in this matter the prospects for the future must be judged solely by the experiences of the past, they feel that as an introduction to what follows they may properly refer to matters that occurred under the N.R.A. Code. During our negotiations the assertion was made by a member of the Committee that in order to defeat the cancellation privilege allowed by the N.R.A. Code the distributors deliberately padded their blocks with low cost 'cheaters' in order that the exhibitors would exhaust their cancellation privilege thereon. This was confirmed by one of the distributor group. And certainly it is well known that the practice of selling shorts on the weekly payment plan was devised to defeat the N.R.A. provision against forcing shorts except in proportion to the number of features licensed.

"From reports received from credible exhibitor informants in various parts of the United States your Committee is convinced that the following practices are now being employed by at least some of the major distributing companies which are advocating approval of the proposals by the exhibitors:—

"(a) Requiring exhibitors to negotiate for and license short subjects before they will even discuss selling their features.

"(b) Shorts are being forced.

"(c) Foreign pictures are being forced.

"(d) Despite poorer business conditions now prevailing, price of flat rental pictures raised and number of percentage pictures increased to offset possible loss through exercise by exhibitors of the cancellation privilege.

"(e) Special inducements offered in price and terms for waiver of the cancellation privilege.

"(f) Waiving of guarantees and selling on straight percentage in order to secure preferred playing time.

"(g) Score charges being added to all flat rentals for 1939-1940. In addition, distributors are increasing film rentals to equal the amount of the score charge formerly paid on percentage pictures.

"(h) National allocations discontinued, thus retarding free use of cancellation and restricting same to the lowest price bracket.

"Based on the statement made by a principal executive of one of the major distributors at the open forum yesterday, your Committee must conclude that the purpose of the distributors is to exact increased rentals which will compensate for any possible loss under the proposals. That being so, the effect of the Code on the exhibitors will be to compel them to pay more money than last year for fewer pictures; or, stated differently, to require the exhibitors to pay in full for all pictures cancelled under the privilege granted."

There is not one exaggeration in these statements, for even this paper has received from exhibitors information to the effect that the salesmen were resorting to the abuses enumerated in the committee's report. The matter was thrashed out on the floor of the Minneapolis convention.

In reference to the accusation contained in the first paragraph, can Mr. Rodgers deny that many distributors violated the intent of the cancellation provision by means of "cheaters"?

In reference to the statement contained in the last paragraph just quoted, the distributor representative referred to is Mr. Gradwell Sears, president of Vitagraph and in charge of sales of the First National-Warner Bros. product. When Mr. Steffes accused that in his very territory exhibitors who paid the distributors during the current season \$3,000 were told that they would have to pay \$3,600, so that, when they cancelled 20% of their pictures, they would still pay the same price, Mr. Sears took the floor and said that the cancellation right was given to the exhibitor, as he understood it, for the purpose of giving him greater selectivity; he then continued:

SEARS: "But the problem you present is one of cancellation as to money on the contract. I've never understood it that way. In other words, if a salesman got \$3,000 last year and he wants \$3,600 or \$4,000 this year, that, in the final analysis, is money. What has that got to do with the cancellation?"

STEFFES: "Mr. Sears! That's all right if he wants to ask \$3,600 for his film, but when he says to the theatre owner, 'you expect your 20% cancellation, don't you?' . . . 'Yes, I do!' 'Then we've got to charge you \$3,600, so if you cancel 20%, we still get \$3,000 out of you.'"

SEARS: "That's right. What's wrong with that?"

STEFFES: "Well, Grad! Let's quit kidding ourselves! We don't need any cancellation if we want to pay for the films that we're cancelling. Is there anything in the present contract that prevents an exhibitor from paying for any pictures and not playing them, if he buys them on a flat rental?"

SEARS: "Well, there's nothing to prevent him, but . . ."

STEFFES: "Then why do we want to sit here and argue about a cancellation privilege unless we want come credit for those pictures we cancel? . . . let's forget the cancellation and say there is none!"

Later Mr. Yamins interposed and among other statements he made, he said to Mr. Sears the following: "If it was your intent, as you conveyed it to us, why not give us a one hundred percent cancellation clause? You do not lose in any way, because you get your money."

Let it be said at this time that when the advance violations of the provisions of the code were brought to the attention of Messrs. Rodgers and Sears, both promised to discharge any guilty salesmen. These two, along with Abe Montague, gave the exhibitors a similar assurance from the floor of the convention. But what Sears said about charging an exhibitor \$3,600 when he previously paid only \$3,000 offset completely whatever effect these assurances may have had on the exhibitors.

(To be continued next week)

FORECASTS

(Continued from last week)

First National-Warner Bros.

"THE ANGELS WASH THEIR FACES," a melodrama with the "Dead-End" kids, their number increased with Frankie Thomas and Ann Sheridan. It deals with the efforts of the "Dead-End" kids to prove innocent Frankie Thomas, who had been framed by a gang of racketeers: the head gangster, in order to collect insurance, sets fire to a building and makes the police believe that Frankie had committed the arson. The fact that Frankie had served a term in the reformatory makes the frame-up easy. But his friends eventually succeed in obtaining proof of his innocence, and in bringing about the arrest of the guilty persons.

Comment: There is fast action all the way through, and some human interest; also a chance for plentiful comedy, to be provoked by the pranks and the dialect of the "Dead-End" kids.

Forecast: The story should make a good program picture of this type, which should fare well at the box office.

(Continued on inside page)

HARRISON'S REPORTS

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RODGERS'S ANSWER TO ALLIED

(Continued from last week)

This is a continuation of the Rodgers statement, publication of which, with appropriate comment, began last week:

"Frequent references are made in the report to the effect that this or that clause appears for the first time in the March 30th draft, but not one word is said about the fact that Allied's General Counsel was invited on January 16th to prepare a draft in language more suitable to Allied; that Allied's General Counsel submitted such a draft on February 7th; that Allied's General Counsel (after the Allied Negotiating Committee ceased functioning), came to New York and conferred with distributors' attorneys regarding the draft of Allied's General Counsel, and that the draft of June 10th contains much of the language and suggestions of Allied. Yet the statement is made that Allied had no contact with distributors between the January 16th meeting and the receipt of the March 30th draft."

Mr. Rodgers is correct in stating that there was contact between Mr. Abram F. Myers, Allied's General Counsel, and the distributors' lawyers after January 16; Mr. Myers met these lawyers, conferred with them and, on February 7, submitted to the distributors an informal memorandum making appropriate suggestions. Consequently, the Allied negotiating committee's statement in its report that there had been no contact between Allied and the distributors after January 16 is incorrect. Had the report stated that there had been no official contact, the statement would have been correct. But in essence it would have been just as misleading, for what difference does it make whether the contact was official or unofficial? After all, Mr. Myers, in conferring with these lawyers, represented, not himself, but Allied.

It should be born in mind, however, that, since the revised proposals of the January 16 draft represented the maximum concessions the distributors were willing to make to the exhibitors, Mr. Myers could not put into his memorandum all the reforms the exhibitors are seeking; of necessity, he had to confine himself only (a) to a revision of the language, so that the intent of the proposals might be expressed more clearly, and (b) to the principles of the mechanics of arbitration, which were still open to discussion. In the matter of the salesmen's employing theatre-building threats with the object of inducing exhibitors to sign unfair contracts, he recommended that the original Allied provision be reinstated. The distributors did reinstate it, but they added restrictions that the Allied negotiating committee found objectionable. (This matter was treated in the issue of July 8, at the foot of the first column on the first page.)

At this point, I wish to call your attention to the fact that Mr. Rodgers is not specific enough; he deals too much with generalities. For instance, in the position of his statement that was discussed in last week's issue, he says: "... the code also contains many other provisions favorable to exhibitors that were not even requested of the distributors," but he fails to state which are the provisions he refers to. In the portion reproduced in this week's issue, he says: "... the draft of June 10th contains much of the language and suggestions of Allied," but again he fails to point out what these suggestions are. Assuming that much of the language of the Myers memorandum has been employed in the final draft, of what benefit is it to the exhibitors if the spirit of such language has been disregarded, or if its purpose and intent have been nullified by the addition of some limiting words or phrases. If Mr. Rodgers had been more specific, one would be able to determine whether the retention of Myers' language means the retention also of his language's intent and spirit.

The Rodgers report continues:

"Further, much comment has been made regarding the

PREAMBLE. The fact is that in the draft of the Allied General Counsel of February 7th, 1939, there was a PREAMBLE which provided that the distributors were to sign the Code and thus become bound to observe the principles, policies and practices there set forth, but did not provide for the signing of such Code by exhibitors or exhibitor groups, and their being bound too. We regarded this suggestion as one-sided and unfair. In our draft of March 30th we submitted a PREAMBLE which provided that the exhibitors and organized groups of exhibitors as well as the distributors should sign the Code and be bound thereby."

When I discussed in the July 1 issue of HARRISON'S REPORTS the portion of the Allied negotiating committee's report that dealt with the preamble, I did not have before me a copy of Mr. Myers's recommendations, which were mailed to the distributors, as said, on February 7. Since that time, I have obtained a copy and, in looking it over, I find that Mr. Rodgers is correct in stating that there was a preamble; it reads as follows:

"The signatories hereto, being distributors of motion pictures, in order to promote a more harmonious relationship and to improve competitive conditions in the motion picture industry, and after consultation with representatives of the several organized groups of motion picture exhibitors, hereby severally bind themselves to the observance of the principles, policies and practices set forth herein in the licensing and distribution of motion pictures in continental United States."

In their own preamble, the distributors employed almost all the language of Mr. Myers, but deleted some of it (the italicized part), and added other words; they made it read as follows:

"The signatories hereto, being distributors, exhibitors and organized groups of exhibitors of motion pictures, hereby severally adopt the following as a code of fair trade practice, hereby severally binding themselves to the observance of the principles, policies and practices set forth herein in the licensing, distribution and exhibition of motion pictures in continental United States." (The italicized parts are not contained in the Myers preamble.)

From this you see for yourself that the Allied committee's statement to the effect that the preamble was never discussed is erroneous. What they, no doubt, wanted to say is that the preamble, in the form in which it appeared in the distributors' draft of March 30, had not been discussed. If this was their intent, they should have said so clearly and unequivocally. To have said what they did say, "Preamble," never discussed, appeared for the first time in March 30 draft," was inaccurate, and necessarily misleading.

What Mr. Myers seems to have sought to do by this preamble was to bind the distributors to the Code without binding the exhibitors, at the same time making them admit, by implication, that competitive conditions in the industry are bad, and that it is in their power to correct them; what the distributors seem as having aimed to do was to bind also the exhibitors, organizations as well as individuals, at the same time making them acknowledge, explicitly, that the Code represented all the fair trade practices in the industry, and, by implication, that all exhibitor grievances have been removed thereby. Allied naturally objected to having the independent exhibitors sign a document headed by such a preamble, for by such an act the exhibitors would put themselves, as the Allied committee felt, at a greatly disadvantageous position if anything went wrong with the Code and they sought relief through legislation.

A fair preamble for both sides would have been the following if a preamble the Code must have:

"The signatories hereto, being either distributors, or exhibitors of motion pictures, hereby bind themselves to
(Continued on last page)

"Stunt Pilot" with John Trent and Marjorie Reynolds

(Monogram, July 1; time, 62 min.)

A pretty good program melodrama. The stunt flying has been photographed well, providing excitement in several situations. Although it is a little slow in getting started, the action picks up speed in the second half, during which there are several thrills. In spite of the fact that the identity of the murderer is known to the spectator, one's interest in the outcome is not lessened. There is no romantic interest:—

John Trent, who was acting as stunt pilot in a picture being directed by Pat O'Malley, is so annoyed at O'Malley's callousness when he, Trent, meets with an accident, that he gives up the job. George Meeker, a reckless pilot, takes his place. Trent and Meeker quarrel when Meeker takes Marjorie Reynolds up for a ride in a dilapidated plane. When Trent learns that his pal (Milburn Stone) had offered to pilot a plane for a dangerous dog fight sequence in the picture in order to earn \$500 for his sister's operation, he knocks out Stone, taking his place. When Trent opens fire, he realizes, to his horror, that his machine gun had been filled with real bullets; Meeker is killed. Trent is suspected of having planned the murder. But, from a chance conversation he had overheard, Trent realizes that O'Malley was the murderer. He takes off in his plane in an effort to overtake the train on which O'Malley was returning to Hollywood. In the meantime, Stone discovers that his nephew had innocently taken pictures of O'Malley tampering with the gun. That is all the evidence needed to convict O'Malley. After a terrific fight, Trent brings back O'Malley, who confesses he had killed Meeker because he had run off with his wife and then had deserted her. Trent and Stone gladly accept jobs with the Border Patrol.

Scott Darling and Joseph West wrote the screen play. George Waggener directed it, and Paul Malvern produced it. In the cast are Jason Robards, Wesley Barry, Buddy Cox, and others.

Not for children. Suitable for adults and adolescents. Class B. Tempo fast.

"They All Come Out" with Rita Johnson and Tom Neal

(MGM, July 14; time, 69 min.)

This is a gripping melodrama. Although it contains propaganda about the system employed in the U. S. Federal prisons for rehabilitating criminals, the facts have been presented in so interesting a fashion that one's attention is held throughout. The action is fast and exciting, particularly so in the first half, during which the gangsters carry out their criminal activities. In spite of the fact that both the hero and the heroine are members of the gang, one sympathizes with them when they reform and try to live as decent citizens. The romance is minimized:—

Rita Johnson, member of a gang of bank robbers headed by Bernard Nedell, becomes acquainted with Tom Neal, a young man without a job or funds. When the chauffeur for the gang is arrested, she recommends Neal to Nedell, for she knew he was an excellent driver. Neal, disgusted because of his inability to make a living, eagerly accepts the chance to make easy money. He and Miss Johnson become fond of each other, but Nedell warns them that romance does not mix with crime. After a series of bold bank robberies, they are finally caught and sent to federal prison. The humane treatment they receive gives them a different outlook, that is, all except Nedell, who was a hardened criminal. He looks forward to the time when he would be released, for Neal knew where Nedell had hidden \$30,000, which he could use to win Nedell's freedom. But Neal, who had learned a trade and had been placed in a good position, does not touch the money. Miss Johnson, too, is freed, and goes to work in a beauty parlor. But Nedell, who had misbehaved, is transferred to Alcatraz. Before he goes, he asks his cellmate, who would soon be released, to find Neal. This cellmate first finds Miss Johnson and then forces her to accompany him to Neal's business place. He tries to force Neal to open the safe with an acetylene torch, but Neal turns the flame on him and then calls for the police. Miss Johnson, too, had called the police. Both Neal and Miss Johnson are praised for their work, and look forward to a happy life together.

John C. Higgins wrote the original screen play, Jacques Tourneur directed it, and Jack Chertok produced it. In the cast are Edward Gargan, John Gallaudet, Addison Richards, Frank M. Thomas, and others.

Not for children, but suitable for adolescents and adults. Class B. Tempo fast.

"Waterfront" with Dennis Morgan and Gloria Dickson

(Warner Bros., July 15; time, 59 min.)

This program melodrama, which is suitable mostly for rough audiences, is somewhat unpleasant entertainment, for most of the action revolves around the hero's efforts to avenge his brother's death. His constant brooding and uncontrollable outbursts of temper wear on one's nerves; furthermore, the idea of a man's insisting on taking the law into his own hands is demoralizing, particularly for young folk. Dennis Morgan, as the hero, shows talents worthy of better material; he acts with ease and makes a good appearance:—

Morgan, president of the waterfront club, is unable to control his temper, thereby getting into fights on the least provocation. During a quarrel with Ward Bond that ends up in a fight, Morgan strikes a friend who was trying to hold him back. The friend is knocked unconscious. Morgan is arrested, but finally released when it is determined that the friend's injuries were not serious. Morgan decides to reform. He marries Gloria Dickson and prepares to leave with her to work on a ranch. Bond tries to pick a fight with him again, but Morgan repulses him. Bond throws a bottle at him; it strikes Morgan's brother, thereby killing him. Bond hides out in his sweetheart's apartment. Morgan, despite his wife's pleas, is determined to find and kill Bond. Miss Dickson, in an effort to save her husband, gives money to Bond to leave the country. Morgan follows her to the hideout. But before he could do anything, Bond meets with an accidental death. Morgan and Miss Dickson are reconciled and leave for the ranch.

Kenyon Nicholson wrote the story, and Lee Katz and Arthur Ripley, the screen play; Terry Morse directed it. In the cast are Marie Wilson, Larry Williams, Sheila Bromley, and others.

Not for children. Suitable for adolescents and adults. Class B. Action fairly fast.

"Indianapolis Speedway" with Pat O'Brien, John Payne and Ann Sheridan

(Warner Bros., August 5; time, 81 min.)

A remake of "The Crowd Roars," produced by Warners in 1932. Aside from the thrills of automobile racing, with its attendant crashes and deaths, it offers little that is outstanding. The plot is stereotyped; it unfolds just as one expects. One unpleasant feature is the fact that brother is pitted against brother, resulting in several fist fights between them; such action is not edifying for young folk. Furthermore, no one does anything to win one's sympathy. Men may enjoy the racing, but it is doubtful if women will be interested in it, for it is wearing on the nerves:—

Pat O'Brien, a famous automobile racer, refuses to marry Gale Page, even though he loved her. He felt he had to continue racing for some time in order to see his young brother (John Payne) through college. When O'Brien arrives home, he is shocked to find that Payne had left college, in order to work on a new super-charger for racing cars and that he had been practicing racing on the side. They quarrel; but O'Brien, realizing that he could not swerve Payne from his determined course, takes him in hand to train him. Payne meets and falls in love with Ann Sheridan, as she does with him. But O'Brien, who considered her a cheap, low person, forbids Payne to see her. They quarrel and come to blows; this results in the parting of the ways for the brothers. O'Brien, feeling that Miss Page was to blame, for she had known about the friendship, breaks with her, too. Trying to get even with Payne in an important race, O'Brien accidentally causes the death of his mechanic (Frank McHugh). Broken by the experience, he turns over all his money to McHugh's wife, and then wanders about. In the meantime, Payne and Miss Sheridan are married. They are overjoyed when Payne receives an offer to race at the Indianapolis Speedway. O'Brien shows up on the day of the race. Through a ruse on the part of a friend, he is brought together with Miss Page, who urges him to race again, even though he had lost his courage. Payne leads the race, until he meets with an accident. O'Brien jumps in; together they win. Reconciliations follow all around.

Howard Hawks wrote the story, and Sig Herzig and Wally Klein, the screen play; Lloyd Bacon directed it, and Max Siegel produced it. In the cast are Regis Toomey, Granville Bates, and others.

Although not edifying, it is morally suitable. Class A. Tempo, fast; racing, highly exciting.

"They Shall Have Music" with Jascha Heifetz, Andrea Leeds, Joel McCrea and Gene Reynolds

(United Artists [1939-1940], August 18; time, 100 min.)

The name of Jascha Heifetz is world-famous, and there is no doubt that lovers of good music will flock to the theatres to hear and see this famous musician. Music students, too, should be thrilled, for the close-ups give them an opportunity to watch Mr. Heifetz' technique. His talents are, needless to say, of the highest order; while he plays, the spectator is enraptured. But when the story is compared with the music played by Mr. Heifetz, and played and sung by the youngsters, who are surprisingly good, it is disappointing; it is not of more than program magnitude. The plot is artificial, lacking adult appeal, and the action is slow-moving, offering little in the way of novel development. Some of the situations direct a deep appeal to the emotions of sympathy. The picture has not been produced lavishly; most of the action unfolds in the tenement districts. Joel McCrea and Andrea Leeds handle the romance effectively:—

Gene Reynolds, a wild boy of the tenements, finds a ticket for a Heifetz concert. Thinking that he would see a show, he goes in; the music has such an effect on him that he is inspired to study. But his step-father (Arthur Hohl) is so enraged when he hears him practicing on a violin Reynolds' father had used, that he breaks it. Reynolds runs away from home, earning a living by giving shoe shines. He wanders into a tenement music school run by gentle Walter Brennan and his daughter (Andrea Leeds). Brennan, realizing that the boy had talents, takes him under his wing. Reynolds overhears a conversation between Miss Leeds and McCrea about the financial difficulties of the school. He organizes a small orchestra to play in the streets so as to make money for the school. While playing in front of Carnegie Hall, they attract the attention of Heifetz, who was just leaving the hall. He gives them a donation and promises to attend the school's concert. Upon this promise, the school is able to have its credit extended. The most persistent creditor (Porter Hall) inquires of Heifetz' manager whether he would attend; the manager claims no knowledge of a promise. Reynolds' young friends go to see Heifetz to plead with him to attend; the manager orders them to leave. One of the boys take with him Heifetz' violin, worth \$70,000, which he thought he would give to Reynolds. Reynolds uses this as a means of getting to see Heifetz; but the manager again intervenes. On the night of the concert, Hall orders the Sheriff to take away all the instruments. The mothers of the neighborhood are able to hold them off for a while, but eventually they have to give way. Just then Heifetz arrives; he orders Hall to return the instruments, promising to pay all the bills. He thrills every one by playing with the orchestra. Reynolds is reunited with his parents, who are happy at the change in him. Miss Leeds and McCrea, who loved each other, are overjoyed at the turn of events.

Irmgard Von Cube and John Howard Lawson wrote the screen play, Archie Mayo directed it, and Samuel Goldwyn produced it, with Robert Riskin associate producer. In the cast are Terry Kilburn, Walter Tetley, Chuck Stubbs, Tommy Kelly, Jacqueline Nash, and the Peter Meremblum California Junior Symphony Orchestra.

Suitability, Class A. Action a little slow at times.

"The Ware Case" with Clive Brook

(GB-20th Century-Fox, July 21; time, 71 min.)

This British-made drama is strictly adult fare, and, at that, suitable mostly for class audiences. The British accents and overabundance of dialogue make it doubtful for the American masses. The story is unpleasant, for it deals with an irresponsible character (Clive Brook); one loses patience with him, for he shows dishonorable traits, such as purchasing things without being able to pay for them, cashing checks when he had no bank accounts, and gambling without being able to afford it. Another cause for one's impatience with him is the fact that he brings unhappiness to his wife (Jane Baxter), who stands by him even though she loved some one else (Barry K. Barnes),—a young barrister who was a good friend to both. Because of Brook's actions, his breakdown in the end and his eventual suicide does not touch one very deeply, for one feels up to that point that he was a worthless character. The point as to whether or not he had actually killed his brother-in-law (Peter Bull) so that his wife might inherit the family fortune and thus clear up his debts is not made clear. Up until the end, even during his trial, he insists on his innocence and one believes him. It is not clear, therefore, when he

later confesses his guilt, afterwards jumping to his death, whether he actually was guilty or had purposely "confessed" as a gesture of sacrifice on his part so that his wife might have her freedom to marry the man she really loved.

George Pleydell Bancroft wrote the story, and Roland Pertwee and Robert Stevenson, the screen play; Michael Balcon directed it, and Robert Stevenson produced it. In the cast are C. V. France, Francis L. Sullivan, Frank Cellier, Edward Rigby, and others.

Not for children or adolescents. Adult fare. Class B. Tempo slow.

"Mutiny on the Black Hawk" with Richard Arlen, Andy Devine and Constance Moore

(Universal [1939-1940], September 1; time, 66 min.)

A good program action melodrama. Although the story is somewhat far-fetched, it holds one's attention well because of the fast and exciting action; it starts off as a sea melodrama and finishes as a rousing Western. Comedy and romance are worked into the plot without retarding the action. The story takes place in the year 1840:—

Richard Arlen, a U. S. Army Captain, is sent to the Sandwich Islands to investigate rumors of slave trading. Learning that many natives had disappeared just after a ship, of which Noah Beery was captain, had docked, and seeing Beery turn over a bag of gold to the island chief, Arlen stows away on the ship. When he is found, he is put to hard work. The crew is mistreated by the captain and his assistant (Guinn Williams). Arlen finds the native slaves in the hold. Arlen, assisted by Andy Devine, one of the sailors, leads the crew to revolt; he takes over the boat. After much suffering because of lack of water, they arrive at the California coast. Arlen goes to Fort Bailey for help. The leader (Thurston Hall), influenced by his young wife (Sandra Kane), a Mexican spy, refuses help; but Hall's daughter (Constance Moore) induces him to change his mind. When supplies run low, Arlen asks for aid from the Mexican general but he is refused. He then goes to an American camp, headed by a general he knew well. He gets promises that supplies would be forthcoming. But, in the meantime, the Mexicans had attacked Fort Bailey. The settlers, slaves, and sailors hold off the enemy until the Americans arrive. They rout the enemy. The American flag is raised over California territory. Arlen prepares to take the natives back to their island. Miss Moore insists on going with him as his wife.

Ben Pivar wrote the story, and Michael L. Simmons, the screen play; Christy Cabanne directed it, and Ben Pivar produced it. In the cast are Mala, Paul Fix, Richard Lane, and others.

Suitability, Class A.

"Million Dollar Legs" with Betty Grable

(Paramount, July 14; time, 64 min.)

Light entertainment, suitable mostly for young folk. It is another one of those college stories, in which sport and comedy are stressed, and romance is minimized. Occasionally it is amusing; this effect is due to the sprightly performance given by a newcomer (Peter Hayes), who shows talents as a comedian. Otherwise, the story is routine, lacking real excitement and human appeal:—

Thurston Hall, chief contributor to the college attended by his son (John Hartley), sets down rules. One of the rules was that basketball should be the leading sport, and that his son should participate in it. Peter Hayes, an enterprising college student, who made his living by extracting ten per cent from college concessionaires, is unhappy because his girl friend (Dorothea Kent) wanted him to get his college letter. Since he was no athlete, he decides to revive interest in crew work so that he could be the coxswain, which was an easy job. Larry Crabbe, the athletic director, and Hartley, who wanted to prove to his classmates that he could get along without his father's help, think Hayes' idea a good one. The boys are selected and put to work. After manipulation, Hayes manages to get a challenge from an important college. Hayes is not permitted in the race because of his poor scholastic rating; but he coaches the boys from the sidelines, thereby helping them to win. There is great rejoicing in the college; Hayes receives his letter. Hall is proud of his son, as is Betty Grable, Hartley's college sweetheart.

Lewis R. Foster wrote the story, and he and Richard English, the screen play; Nick Grinde directed it, and William C. Thomas produced it. In the cast are Donald O'Connor, Jackie Coogan, Joyce Mathews, and others.

Suitability, Class A. Tempo, fairly fast.

observe the principles, policies and practices set forth in this instrument in the licensing, distribution and exhibition of motion pictures in continental United States."

A preamble such as this would not be unfair to either group.
(To be continued next week)

FORECAST OF STORY MATERIAL FOR THE 1939-40 SEASON RKO

"ABE LINCOLN IN ILLINOIS," the Robert Sherwood Pulitzer Prize play that opened October 15, last year, and is still playing, with Raymond Massey in the leading part—the same actor who is appearing in the play. It is the story of Abraham Lincoln, dealing with his rise from humble environment to the Presidency of the United States.

Comment: The play has made a hit on Broadway, because it is deeply human. The character of Mr. Lincoln is brought out vividly—his humanness as a man and as President.

Forecast: John Cromwell, of "Ann Vickers," "Of Human Bondage," "Made For Each Other," "The Silver Cord," and of other meritorious pictures fame, will direct it. Consequently, one feels safe in predicting that, as far as quality is concerned, it will turn out as powerful a drama as is the stage play.

(To be continued next week)

THE CODE'S OBJECTIONABLE PARTS (Concluded from last week's issue)

The Allied negotiating committee's report continues:

"4. *Acceptance of the proposals would jeopardize prospects of exhibitors for additional relief.* At the very first interview which Messrs. Yamins and Myers had with Mr. Rodgers on the subject of the negotiations, about the middle of September, 1938, the question was posed, 'Will participation on our part mean that we will be precluded from seeking passage of the Neely Bill?' They were told that the negotiations would have no bearing on the Neely Bill or the Government suit, except as the experience might bring about better relations which would lead us voluntarily to abandon such methods. This statement was later repeated in substance by Mr. Rodgers in a telephone conversation with Mr. Yamins.

"It was upon this assurance that Allied entered into the negotiations.

"Since then the distributors have made every possible use of the negotiations to defeat the Neely Bill, to influence the attitude of the Department of Justice in pending litigations and otherwise to handicap Allied in its efforts to secure real and lasting benefits for the independent exhibitors.

"Because we regard this as the most important factor entering into our decision that the proposals should be rejected, we feel that we should retrace our steps and give an outline of the manner in which this program was developed.

"At hearings on the Neely Bill in 1936 a suggestion was made by spokesmen for the distributors that negotiations be initiated to settle problems within the industry—obviously to prevent favorable action on the bill.

"The next serious proposal along this line came coincident with a visit of Big Eight executives to Washington to head off the Government's suit.

"The first draft of the proposals (Dec. 1) was sent to the Department of Justice with a statement that they had been agreed to in principle notwithstanding the fact that your Committee had stated—and they hereby reiterate that statement—that no such agreement had been reached.

"The long silence after the January 16 meeting was suddenly broken when the distributors burned the midnight oil—to quote one of the trade papers—to get out the March 30 draft on the eve of the hearings on the Neely Bill.

"That draft was presented to the Senate Committee by Mr. Rodgers as a reason why the bill should not be passed. It is set forth in the minority report of the Senate Committee as a reason why the bill should not pass.

"According to press reports the draft has been carried by the distributors to the Secretary of Commerce in an effort to induce him to use his influence with the Department of Justice to settle the Government suit on the basis of the proposals. . . . (Paragraph deleted was reproduced in the July 1 issue; it deals with the preamble.)

"Mr. Rodgers has made it plain that these proposals represent the maximum concessions that the distributors are

willing to yield. Therefore, no further progress can be made along this line. If the exhibitors agree to the proposals they will be greatly handicapped in, if not actually debarred from, seeking further relief by other means. This demonstrates the fallacy of the argument that this is a 'step in the right direction.' It is not a step in any direction, it is the end of the trail.

"NEGOTIATING COMMITTEE."

Undoubtedly there will be Allied members who, along with exhibitors of other affiliations, will sign the Code, for it offers certain advantages that they cannot obtain otherwise. In this, they may be prompted by the fact that Allied, as an organization, does not commit itself and remains free to pursue its former policy of bending its efforts to obtain greater relief by legislation. To these as well as to all other independent exhibitors, HARRISON'S REPORTS suggests that, before signing the Code, they delete from the preamble the wording, "hereby severally adopt the following code of fair trade practice," and alter the word "binding" to read "bind." Unless they make such an alteration, they will admit ipso facto that all the industry's unfair practices thereby have been eliminated. The distributors should not object to such an alteration, for the preamble, as altered by the deletion, imposes no new conditions on them, and does not free the exhibitors from any of the obligations under the Code.

AN IMPORTANT EVENT NEARLY OVERLOOKED

I have been so busy the last few weeks on the Allied-distributor controversy on the Code that I nearly overlooked an important event: This month, HARRISON'S REPORTS is twenty years old; the first issue bears the date of July 5, 1919.

For a paper that, when its first issue appeared, was given by some wisecracks three months to live, a life of twenty years, when one bears in mind that the paper's livelihood depends entirely on the subscription receipts, is, indeed, long enough to make any publisher proud.

Why has it lived that long, and why will it live much longer yet?

In March, 1920, the exhibitors of Kansas State, impressed by the editorial policy of HARRISON'S REPORTS, invited me to attend their convention, which they held at Wichita. Mr. Miller was the president of the organization, and Stanley Chambers the secretary.

During my talk, I stated that HARRISON'S REPORTS would never accept film advertising so long as I owned it and, although some of the exhibitors present doubted me, I have kept my word to them. This is the answer.

It gives me indescribable pleasure, indeed, to be standing before you today, saying to you that, during these twenty years, I have kept my end of the bargain with you. And I am glad to say that you, too, have kept yours; you have continued renewing your subscriptions, making it possible for me to carry on.

HARRISON'S REPORTS today enjoys the confidence, not only of the exhibitors, but also of the distributors; these have at last come to realize that, although the paper's editorial policy is at times harsh in dealing with producer-distributors, it is at least not personal, and certainly not vindictive.

It is true that it has made errors, but they have been honest errors. Who is the publisher who can avoid such errors? But the producer-distributors know that, when an error of mine is called to my attention, I correct it without any hesitation.

During these twenty years, I have seen much; but what stands in my mind most vividly is the fact that the number of independent exhibitors is getting smaller all along. Every year a number of them, unable to stand the pressure caused by the many burdensome conditions that are continually imposed on the exhibitors, drop out; and most of those who are remaining find it harder and harder to make a living, the statement of the distributors to the contrary notwithstanding. Many distributors call one's attention to the fact that some exhibitors take trips to Florida, Hawaii, Europe and to other parts of the world, but exhibitors of this kind are far and few between; most of the others stick to the job closely in an effort to eke out an existence.

This industry could be made a paradise for all, but the selfishness of a few, who want it all, is a great obstacle.

Perhaps not long after the beginning of the second twenty-year cycle of life for HARRISON'S REPORTS a change for the better will take place.

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RODGERS'S ANSWER TO ALLIED

(Continued from last week)

Rodgers's statement continues:

"These misleading statements, together with many other inaccuracies well known to all distributors present at Minneapolis, caused their spokesman, with their full approval, to conclude his remarks at the final session of the Allied meeting on June 15th with the statement:

"Under the circumstances, Gentlemen, you leave me no alternative but to withdraw any proposals from the Allied organization as a group and we will no longer negotiate with the Allied organization."

"It has been rather unique to be negotiating for a peaceful solution of trade problems with a body who sought all concessions possible and at the same time declared their intention, no matter what the outcome, to continue their efforts, through legislation or litigation, to further curtail the progress of those upon whom they are largely dependent for their future business security and who have endeavored sincerely to solidify an industry that all concerned may benefit to the greatest extent."

Comment: In subdivision "4" of the Allied negotiating committee's report, which was read on the convention floor in Minneapolis, there was said:

"At the very first interview which Messrs. Yamins and Myers had with Mr. Rodgers on the subject of the negotiations, about the middle of September, 1938, the question was posed, 'Will participation on our part mean that we will be precluded from seeking passage of the Neely Bill?' They [Yamins and Myers] were told that the negotiations would have no bearing on the Neely Bill or the Government suit, except as the experience might bring about better relations which would lead us voluntarily to abandon such methods. This statement was repeated in substance by Mr. Rodgers in a telephone conversation with Mr. Yamins."

Since Mr. Rodgers did not deny this assertion, I assume that it is correct in every respect. Such being the case, his complaint is not justified, for he had already agreed to the Allied terms on that question; the stand the Allied leaders have taken in this matter is unassailable. Mr. Rodgers must remember that the Allied leaders, regardless of the confidence they have in him as a fair-minded person, have not forgotten what happened in the past when they negotiated with his group to establish fair-trade practices. For this reason they wanted to be sure that, until such time as a fair and equitable Code had been worked out and put into effect, they retained their freedom of action.

The Rodgers's statement continues:

"The fact that Allied as such represents only a minority, and a small one, of organized exhibitor groups, and much smaller when the nation's theatres are considered, did not in the slightest deter us from a supreme effort to meet the problems as they were presented. . . ."

Now, Bill, it wasn't nice of you to say that Allied represents a minority of the organized exhibitors! Let us look at the facts: You have been conferring with Harry Brandt, as president of I.T.O.A. What Harry has is, not so much an independent exhibitor protective association, but a booking corporation, for the services of which he charges the exhibitors who belong to it a booking fee. He represents these exhibitors, however, only in the booking of pictures.

I might add that many exhibitors in this territory feel that the independent exhibitors need a Code more against booking corporations of the kind Harry Brandt conducts than producer-distributor injustices. So long as Harry can get film for his 42nd Street houses, he will shout against any and all other exhibitor organizations. But Harry's success in booking films for his houses is a great detriment to the other Metropolitan area exhibitors; these

cannot charge for admission 30c or 35c, because Harry charges 10c for the "early bird" matinees, 15c from one to five o'clock, and 20c and 25c the rest of the time, for double bills. And 42nd Street is the Hub of the city; every subway converges there, and there is hardly an out-of-town visitor but passes from that part of the city one or more times.

Let us now take up Ed Kuykendall, president of Motion Picture Theatre Owners of America, known better as M.P.T.O.A., with whom, too, you have been holding conferences. Is Ed the head of a majority organization? Let us see!

In the statement you made to the Senate Committee during the hearings on the Neely Bill in Washington, you stated that the number of theatres that are controlled by producer-distributors is anywhere between 2,300 and 2,400, your own opinion being that it is nearer the 2,400 mark. When you were making this statement, did you count these theatres in the Kuykendall organization to prove that Allied is a minority organization? If you did, your comparison is most unfair. If you did not, then your figures are all wrong.

To the Senate Subcommittee, you said partly as follows:

"There will be heard during the course of these hearings the president of another group of theatres, called the Motion Picture Theatre Owners of America, which represents considerably more theatres than those represented by the Allied States." But you did not make it clear to the Committee at that time that 2,400 belonging to the Kuykendall organization represent your side, and not the independent exhibitor side.

In the same paragraph, you said also the following:

"Generally speaking, from my contact with them [M.P.T.O.A.]—they have not yet expressed themselves—they are in favor of this [the Code] and directly opposed in toto to the Neely Bill. I have had, in addition, the assurances of Mr. Kuykendall that the majority of his group favor this plan."

Since Ed Kuykendall has been telling the world that his motive for being opposed to the Neely Bill is because it is "Government Regulation," let me tell you how much he believes in what he preaches: During his speech at the Minneapolis convention, in one breath, he stated, at your own hearing, that he opposed the Neely Bill because he did not want the motion picture industry to be regulated by the Government, and in another, he advocated Government regulation: he wanted the motion picture industry to join hands with the radio and the restaurant people to induce the United States Government to regulate the American Society of Composers, Authors and Publishers. Evidently Dave Palfreyman, of the Hays office, did not go over Ed's speech to prevent him from making himself ridiculous by such an inconsistency. If he did go over the speech, he must have missed the point. He should be more careful in the future.

Bill! Let me give you a piece of correct information: Kuykendall's organization has few independent exhibitors as members. And those that it has, pay no dues. It is easy for you to verify this information. If your group should stop the subsidy in the form of dues from your theatres, M.P.T.O.A. will vanish like a mist. Your group is maintaining M.P.T.O.A. only for one purpose—to have its president (who is paid, as I understand, \$200 a week and his travelling expenses), appear before legislative bodies as well as before civic bodies to thwart the efforts of the independent exhibitor leaders to obtain legislative or other relief for their members. The present M.P.T.O.A. president is not even an exhibitor now. You were told in the very beginning, before the negotiations had started, that any attempt of your group to bring Kuykendall into these negotiations would create a painful impression among the independent exhibitors, in that it would be interpreted to mean that the distributors are as little sincere now as they

(Continued on last page)

"Andy Hardy Gets Spring Fever" with Mickey Rooney and Lewis Stone

(MGM, July 21; time, 85 min.)

This is the most delightful picture in the "Hardy Family" series. It goes in less for clowning and more for genuine human appeal; the characters, particularly Mickey Rooney, as "Andy," are handled in a more sympathetic manner, resulting not only in good comedy but also in deep emotional appeal. Rooney's first adult love affair is the main topic; this has been handled so well that at no time does it seem silly. Instead, it has a certain charm, mostly because of the excellent performances by Rooney and by a promising newcomer (Helen Gilbert), the object of his affection. Lewis Stone becomes involved innocently with two crooks, which holds one in suspense until he extricates himself from the mess:—

Discouraged when his girl friend (Ann Rutherford), receives attentions from a young naval officer, Rooney becomes dejected, that is, until he meets and becomes enamoured of his new dramatic teacher (Miss Gilbert), a young girl of charm and beauty; she inspires him to write a play, in which he would star. Stone speaks to Miss Gilbert, suggesting that she use tact in putting Rooney in his place; she readily agrees to do so, for she was fond of Rooney. The night before the play, Rooney proposes to Miss Gilbert. Instead of laughing at him, she promises to speak to him on the subject the following evening, after the play; he is elated, and even tells his father that he expected to be married soon. Towards the end of the play he sees Miss Gilbert backstage with a young man who was embracing her. She explains to him later that the man was her fiancé. He feels as if the world had come to an end; but when he wanders over to a party given by Miss Rutherford, who kisses him when he arrives, he forgets all his cares. Stone is happy because Mickey had been cured; also because the bad land deal he had entered into had turned out profitable.

Kay Van Riper wrote the screen play, and W. S. Van Dyke II directed it. In the cast are Cecilia Parker, Sara Haden, John T. Murray, Terry Kilburn, George Breakston, and others.

Suitability, Class A. Tempo not very fast, but the action is amusing.

"Blondie Takes a Vacation" with Penny Singleton and Arthur Lake

(Columbia, July 20; time, 68½ min.)

Pretty good program entertainment for the family trade. The story, as in the two previous "Blondie" pictures, is lightweight; but the characterizations are so amusing that one follows the action with interest. The highlight of the picture this time is "Baby Dumpling," played by little Larry Simms; he speaks his lines well and acts competently. There is no doubt that the women in the audience will chuckle each time he appears:—

The family, consisting of father (Arthur Lake), mother (Penny Singleton), and baby (Larry Simms), in addition to Daisy the dog, start off on a vacation. On the train they annoy one of the passengers (Donald MacBride); it develops that MacBride is the manager of the hotel to where they were going. When he sees them, he refuses to give them accommodations. Tired and hungry, they finally find another hotel across the lake. It is then that their troubles start, for they take an interest in the kindly old couple who were running the place, which was run down. Miss Singleton and Lake start working; first, they pay old bills, and then they start looking for customers. But it is Baby Simms who helps them; he accidentally chases a family of skunks into the air-conditioning system in MacBride's hotel. This forces the customers to leave; they all go to the hotel across the lake. But MacBride, who held a mortgage on the other hotel, threatens to take it over. When his hotel burns down due to an accident on his part, he tries to put the blame on Lake; but again Baby Simms saves the day by accusing MacBride, whom he had seen setting the place on fire, of doing so. MacBride is arrested. Everything looks good for the old couple when Lake and his family bid them a fond farewell.

Karen DeWolf, Robert Chapin and Richard Flournoy wrote the story, and Richard Flournoy, the screen play; Frank R. Strayer directed it, and Robert Sparks produced it. In the cast are Donald Meek, Danny Mummert, Robert Wilcox, Helen Briggs, and others.

Suitability, Class A. Tempo, fairly fast.

"Winter Carnival" with Ann Sheridan and Richard Carlson

(United Artists [1939-40], July 28; time, 90 min.)

Just a program picture. The action, which is developed along familiar lines, is slow-moving and, for the most part, tiresome; even the dialogue is trite. Furthermore, the players, aside from Ann Sheridan, lack box-office names of value. It may appeal to young college folk because of the Dartmouth College background, with its winter carnival scenes; but even this part of the picture is a disappointment, for it lacks excitement, the scenes of the different sports having been put together in a rather slipshod way. The romance is pleasant:—

Ann Sheridan, wealthy and spoiled, whose marriage to a Duke had ended in a divorce, travels with her young sister (Helen Parrish), towards Dartmouth College, where Miss Parrish had been invited to attend the winter carnival; Miss Sheridan planned to leave from there for Montreal to catch a boat for Europe. Miss Parrish tries to induce her sister to stay over for the festivities, where a few years previous she had been Queen of the Winter Carnival, but she refuses; when she learns that her former sweetheart (Richard Carlson), now a college professor, was to be there, she decides, since she had four hours between trains, to see him. The old flame flares up again; but what had happened before happens again—they part because Carlson had refused to live on her money. Before leaving, Miss Sheridan saves her sister from making the same mistake she had made by throwing herself at a title. This makes Carlson realize how much he loved her; he convinces her that she should give up her glamorous life and settle down. She consents; but when her former husband arrives with newspaper men, intent on making trouble, she fears that Carlson would become involved and his career ruined, and so she prepares to leave. But Carlson follows her; he suggests that they go to New York, marry, have a good time, and then return to Dartmouth, to settle down. She agrees, happy in the thought that once she would become a college professor's wife she would no longer be news.

Budd Schulberg and Maurice Rapf wrote the story, and they and Lester Cole, the screen play; Charles Riesner directed it and Walter Wanger produced it. In the cast are Robert Armstrong, Virginia Gilmore, Marsha Hunt, James Corner, Robert Allen, and others.

Suitability, Class A. Tempo, slow.

"The Spellbinder" with Lee Tracy and Barbara Read

(RKO, July 28; time, 69 min.)

Just another program picture. The story is not particularly edifying, for it deals with a lawyer who resorts to trickery in order to win cases. As a matter of fact, nothing pleasant happens throughout the whole picture; that is, nothing that touches one's emotions or awakens one's sympathies for the characters. The action is developed in an artificial manner; it is not helped much by the performances, which are unconvincing:—

Lee Tracy, a successful trial lawyer, who resorted to dishonesty in order to win his cases, is shocked when a client (Patric Knowles), informs him that he intended killing a man who was trying to blackmail him; the man knew that Knowles had stolen money from his stockholders. Tracy warns him against such a step. But Knowles threatens to implicate him in case he should refuse to represent him. Tracy prepares to leave for Europe with his daughter (Barbara Read), so as to keep out of trouble. But before he could do so, Knowles kills the man. Tracy, in order to keep from his daughter the truth about his practice, naturally has to defend Knowles. He wins his freedom. But Knowles, wishing to keep his secret safe with Tracy, secretly marries his daughter. Tracy follows them to the hotel to which they had gone. He kills Knowles and then gives himself up. At his trial, he takes up his own defense, which necessitates confessing all. He is convicted; but he is not unhappy, for he knew that now his daughter was safe.

Joseph Anthony wrote the story, and Thomas Lennon and Joseph A. Fields, the screen play; Jack Hively directed it, and Cliff Reid produced it. In the cast are Allan Lane, Linda Hayes, Morgan Conway, and others.

Not for children. Suitable for adolescents and adults. Class B. Tempo, only fairly fast.

"I Stole a Million" with George Raft and Claire Trevor

(Universal, July 21; time, 77 min.)

This melodrama is too depressing for an average audience. The fast action as a result of the criminal activities may appeal to men of the rougher type, but most persons will find the hero's participation in crime most discouraging, since he drifts into that life, first, because of circumstances and, secondly, because of financial needs. The fact that one sympathizes with him, knowing that eventually he would pay for his deeds, is even a greater reason for one's becoming depressed; moreover, there is a feeling of hopelessness throughout that weighs one down. The heroine's devotion to the hero is the picture's most appealing part:—

After working hard as a taxicab driver in order to own a cab of his own, George Raft finds that, in addition to payments of \$325 he had made, that he could not get the cab until he paid more money for what the dealer claimed was insurance. Angry at being cheated, he knocks the man out and takes his money. He is arrested, but manages to escape, with the handcuffs still on one wrist. A hobo directs him to some one he knew who could take the cuffs off. But the man (Victor Jory), insists that, if he wanted the handcuffs taken off, he would have to participate in a bank robbery with him. Raft agrees, not knowing that he was to be made the "goat." He realizes it in time, however, and manages to escape. Reaching the hideout, he threatens to kill Jory unless his share was paid him. Jory promises to send it to him. Raft, in need of money, enters a florist shop with the purpose of robbing the cash register, but changes his mind when he meets the clerk (Claire Trevor); he falls in love with her at first sight. With money that he wins in a dice game, Raft buys a garage and marries Miss Trevor; they are very happy for a year. But the police trail him, forcing him to hide; his garage assistant threatens to expose him unless he would turn the garage over to him. In need of money for his wife, who was going to have a baby, he forces Jory to give him \$2,000; but Jory gets it back by knocking him out. Desperate, Raft turns to crime in order to provide enough money for his wife and child. A conniving lawyer does him out of his ill-gotten earnings. Miss Trevor pleads with him to give himself up; he is about to do so but changes his mind, and starts running. The police shoot him down; he dies. Miss Trevor is comforted by Dick Foran, a young lawyer friend, who had always loved her.

Lester Cole wrote the story, and Nathaniel West, the screen play; Frank Tuttle directed it, and Burt Kelly produced it. In the cast are Henry Armetta, Joe Sawyer, Robert Elliot, Stanley Ridges, and others.

Not for children or adolescents. Adult fare. Class B. Tempo fast.

"Parents on Trial" with Jean Parker and Johnny Downs

(Columbia, June 29; time, 57 min.)

Mediocre program fare. It is a somewhat feeble attempt to sermonize on the subject of unsympathetic parents, who, because of their attitude, bring misery to their children. Not only is the story trite, but the production values are poor. One feels some sympathy for the heroine because of the suffering she goes through due to her father's sternness; but that is not enough to keep one interested, since the action is slow and, for the most part, dull:—

Jean Parker, a young college girl, whose mother had died, receives no understanding from her father (Henry Kolker). Although she obeys him, he constantly accuses her of trying to do things behind his back. While out driving with a friend (Linda Terry), her car collides with a car driven by Johnny Downs, who was accompanied by a friend (Noah Beery, Jr.). Downs, a garage mechanic, offers to fix Miss Parker's car. Miss Parker and Downs are attracted to each other, as are Miss Terry and Beery. They make an appointment to meet again. But Kolker finds out about it and forbids her from seeing Downs any more. But she disobeys him. She and Downs decide to get married. Kolker is furious; he keeps Miss Parker a virtual prisoner while he has the marriage annulled. He brings charges against Downs, who is sentenced to a short term in the workhouse. Downs escapes and reaches Miss Parker, who runs away with him in her father's car. They are caught and brought back. After a stern talk by the Judge, Kolker finally relents, permitting the young couple their freedom. Every one is happy.

J. Robert Bren and Gladys Atwater wrote the story, and they and Lambert Hillyer, the screen play; Sam Nelson directed it, and Ralph Cohn produced it. In the cast are Virginia Brissac, Nana Bryant, and others.

Morally suitable. Class A. Tempo slow.

"The Cowboy Quarterback" with Bert Wheeler and Marie Wilson

(First National, July 29; time, 56 min.)

Ordinary program fare. It was produced in 1933 under the title of "Elmer the Great," with Joe E. Brown as star; the game played by the hero in that picture was baseball whereas here it is football. This picture suffers considerably by comparison with the former. Bert Wheeler lacks the comic abilities of Joe E. Brown, the production values are poor, and the leading players are weak box-office attractions. The action, for the most part, is slow-moving, except for the closing situation in which the hero, in the last minute to play, wins the game:—

Wheeler, a small-town clerk in a grocery store owned by Marie Wilson, is noted for his prowess as a football player. He consents to play with a major league on one condition—that Miss Wilson, with whom he was in love, accompany him. Under her guidance, Wheeler wins all the games in which he appears. But Miss Wilson makes a nuisance of herself and so William Demarest, the team's publicity agent, induces Wheeler to send her back home. He then urges his girl friend (Gloria Dickson) to keep Wheeler from getting lonesome. Wheeler, believing himself to be in love with Miss Dickson, is miserable when he learns that she was going to marry Demarest. In company with a friend, he gets drunk at a gambling establishment run by a racketeer who was betting against Wheeler's team. The racketeer tricks Wheeler into gambling and losing \$5,000; a fight ensues, after which Wheeler is sent to jail. Miss Wilson, learning of his trouble, rushes to his side; she pays off the racketeer. But Wheeler does not want her to waste her money, and so he agrees to throw the game for \$5,000. When the manager hears about it he refuses to let Wheeler play, until Wheeler convinces him that he had bet all his money on his own team, and that he intended to double-cross the gamblers. He plays and wins the game. He and Miss Wilson decide to marry.

The plot was adapted from a play by Ring Lardner and George M. Cohan; Fred Niblo, Jr., wrote the screen play, and Noel Smith directed it. In the cast are Eddie Foy, Jr., DeWolf Hopper, Charles Wilson, and others.

Suitability, Class A.

"Should Husbands Work?" with James and Lucile Gleason

(Republic, July 26; time, 66 min.)

This comedy continues the Higgins Family series, offering adequate program entertainment. The action is fast; and, since most of it revolves around the predicaments the different members of the family get into, it holds one's attention pretty well. Several situations are quite comical, provoking hearty laughter. And this time there is a romance involving the elder son (Russell Gleason) and a young waitress (Marie Wilson):—

When Gleason learns that his employer (Henry Kolker), was planning to sell his cosmetics business to Berton Churchill, he confides to his wife (Lucile Gleason), that Kolker's business was in poor shape. Knowing that the merger would mean the loss of her husband's position, Mrs. Gleason passes this news on to Churchill's wife, hoping that she in turn would tell her husband and so the merger would fall through. Things turn out as she had hoped; but her joy turns to despair when she learns that she had ruined her husband's chances of a good job, for Churchill had planned to make Gleason general manager of the combined firms. Kolker is furious and discharges Gleason. Russell Gleason, who owned ten shares of stock in Kolker's concern which he had hoped would net him a large sum of money so that he could get married to Miss Wilson, is disappointed. To add to his family's troubles, he brings his fiancée to board with them. After many mishaps, Gleason gets the job he wanted when the two concerns finally merge; they needed the ten shares of stock held by Russell, and, in order to get them, they had to take Gleason on as general manager.

Jack Townley and Taylor Caven wrote the original screen play, Gus Meins directed it, and Sol S. Siegel produced it. In the cast are Harry Davenport, Mary Hart, Tommy Ryan, Arthur Hoyt, and others.

Suitability, Class A. Action fairly fast.

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were in the past, when they made efforts to get together with independent exhibitors. But he was brought in, despite that warning. Your committee didn't have to confer with him; all you had to do was to decide what part you wanted him to play, and he would have obeyed your orders. Could he have done otherwise?

Whether you believe it or not, Bill, Allied represents a majority of the organized exhibitors. The fact that it does not represent the majority of all the exhibitors means nothing, for if we were to put together all the organized theatres, of whatever affiliation, they would not constitute a majority. But on national issues, the majority of even these unorganized exhibitors stand by Allied.

Correct your figures on this subject; they are wrong!
(To be continued next week)

NEELY BILL PASSES THE SENATE

You are all familiar, I am sure, with the fact that the Neely Bill has passed the Senate by a vote of 46 to 28, and has been referred to the House.

It is doubtful if any action will be taken by the Lower House at this session: Congress is in haste to adjourn and it will take up only matters of the greatest importance to the nation. But this fact does not kill the Bill, as was the case last year; since the same Congress will convene next year, the Bill will be taken up at the next session.

There is no doubt that the action of the House at its next session will be favorable. If there were any doubt, the fact that elections are coming removes all doubts—the members of the House of Representatives would naturally want to make sure of their reelection, and they would not want to antagonize the powerful civic, fraternal and religious organizations that are backing the Bill.

It seems as if a flicker of light is perceived in the distance.

Write a letter to Hon. M. M. Neely, in care of the U. S. Senate, and thank him for the success of his fight in your behalf.

STORY FORECASTS FOR THE 1939-40 SEASON

RKO (Radio Pictures)

(Continued from last week)

In last week's issue a forecast of the play "Abe Lincoln in Illinois," was given.

"AFRICAN INTRIGUE," the novel by Alfred Batson, an adventure melodrama dealing with the efforts of a secret German expedition to determine the value of the land in the French Sudan in 1911, when France and Germany faced war. France had offered that land to Germany as a peace offering, and Germany wanted to know what it was worth. The militaristic manner of the head of the expedition brings much trouble to it when the French become aware of its presence. The expedition at last returns to Germany and makes its report.

Comment: This story material is not worth much for a picture. The only worth-while feature is the thrills that may be caused when the lives of the members of the expedition are placed in danger from the natives, as well as the French military. There is no romance, unless the producers intend to work in one.

Forecast: If it should be produced as a program picture, the story is not worth the effort; if it should be produced as a big picture, the cost will be altogether out of proportion to the story's worth.

"ALLEGHENY FRONTIER," to be based on the Neil H. Swenson novel, "The First Rebel," with John Wayne, Claire Trevor, Sir Cedric Hardwicke and others, a melodrama unfolding during the period of the American Revolution, dealing with the escape of the hero from the hands of the Indians, who had held him prisoner; he goes to the British at Quebec, then returns to Conoccheague, becoming the leader of the settlers against a corrupt British Captain who, in defiance of the law, had been selling rum and ammunition to the Indians. The hero, after capturing the fort, is framed: accused of murder, he is court-martialed; but the Governor, who had learned the facts, intervenes and frees him. The hero, accompanied by the girl he loved, starts on a new adventure.

Comment: Melodramas of this kind are, as a rule, thrilling, for there are fights all the way through. This time it is no exception. The action is fast, and the hero's heroics are such as to win him the spectator's sympathy.

Forecast: The picture should turn out a good or very good melodrama, but because the cast announced is not of first rank its box office possibilities should be fairly good to good.

"THE AMERICAN WAY," the play by George Kaufman and Moss Hart, dealing with a German boy who settles in a small Ohio town in 1896. From then on until his death in 1938, he lives a full life, with its joys and its sorrows, but during all this time he had never lost faith in America and its institutions, doing his own bit in maintaining its freedom.

Comment: There is considerable human interest in the play. One feels kindly toward the hero, who retains his faith in the American institutions despite some of their shortcomings.

Forecast: If the producers should not resort to too much preachment, there is no reason why it should not turn out a good picture; but since no lead players have been announced it is difficult to evaluate its box-office possibilities.

"ANNE OF WINDY POPLARS," the novel by L. M. Montgomery, author of "Anne of Green Gables," to be produced by Cliff Reid, with Anne Shirley.

Comment: It is a Pollyanna story, with country-town atmosphere. There is naturally human interest in it.

Forecast: It should make a good program picture, with box-office results depending in each locality on the popularity of Miss Shirley, who is sweet and charming, and a capable little actress.

"CROSS COUNTRY ROMANCE," the Eleanor Browne novel, with Lucille Ball and James Ellison, a romance, dealing with Dianne, a young heiress who, on her wedding day, runs away and hides in a trailer owned by Larry Smith, a young doctor headed for San Francisco. When Larry discovers her she does not tell him who she is, and condemns all rich girls when they read in the papers about her disappearance. She makes herself useful and, by the time they reach San Francisco, they are in love and marry. It is then that Larry discovers who she is—the hospital in which he was to work was supported by her money. At first Larry dislikes the idea of having been "taken in," but soon he becomes convinced that Dianne married him, not because she wanted to get cheap publicity, but because she loved him.

Comment: The story material is of the type of "It Happened One Night." There is a chance for plentiful mild comedy, and for fairly deep human appeal.

Forecast: If produced well, it should turn out a fairly good picture, with fair box-office results.

"THE DEERSLAYER," the James Fenimore Cooper story, to be produced by Gene Towne and Graham Baker. It is a story that unfolds during the time when this country was a British Colony, and the French and the British were at war, each side employing Indians to help it. Deerslayer, the hero, in company with a young Indian and another white, go to rescue the young Indian's sweetheart, who had been kidnapped by a renegade Indian. They finally succeed, but not until after they had gone through some harrowing experiences, the British Redcoats rescuing them all in the end.

Comment: There is fast action all the way through, and thrills almost every little while. The greatest aggregation of thrills, however, are toward the end, where the Indians are seen chasing the hero to capture him so as to scalp him, another group of Indians setting fire to the white characters' home, which had been built in the middle of Glimmerglass Lake (Lake Oswego, at Cooperstown, N. Y.), and at the same time Redcoats, on horseback, rushing to the rescue of the whites, who by this time had been captured by the Indians. There is also a charming romance.

The book has had a great circulation; it is considered such a classic in the United States that many schools have it in their curriculum. The action of the book has been altered here and there, but not enough to make those who have read the book notice it. For instance, the motivation in the book for Hutter's seeking to scalp Indians is given as mercenarism; the motivation in the new treatment is a father's desire to avenge the death of his son, who had been scalped by the Indians. This alteration is not far afield, for the book mentions that the Indians had scalped Hutter's young son. Such a motive is worthy, whereas scalping Indians for profit would not pass muster nowadays. Such is the case with the other alterations. Whatever alterations have been made have not altered the flavor of the book.

Forecast: There is no question that the story, handled by a competent director, will turn out either very good or excellent. As to its box office possibilities, the chances are that, if the picture were exploited properly also by the exhibitors themselves, it will do equally well at the box office.

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RODGERS'S ANSWER TO ALLIED

(Continued from last week's issue)

The Rodgers's statement continues:

"... We believed that we had succeeded at Chicago in November last; every item brought up was fully discussed and disposed of and it was understood there, and at that time, that a basis for a Trade Practice Code was established. All that remained was to reduce it to writing and to suggest a method for arbitration.

"At that time we invited the Allied General Counsel to confer with our group in New York so that Allied would feel they had a definite part in the preparation of the document. We invited counsel of other exhibitor groups to confer with us and some of them did confer with us. But Allied expressed a preference that we prepare a document and submit it to them.

"We did prepare several drafts in which the language had been changed, but never the intent."

Comment: Bill Rodgers says that in Chicago there was full agreement on all questions discussed, and that all the distributors had to do was to put that agreement into writing. On the other hand, the Allied negotiating Committee denies, as it has been already stated in these columns, that there was any such agreement, attempting to substantiate its position by pointing out to the fact that, in the Allied organization, only the board of directors can close an agreement on its behalf. And the negotiating committee could not submit the distributor proposals to this board until the producers put them into writing.

Since I was not present at the negotiations, naturally I cannot say whether or not the points that were discussed were in the nature of an agreement, or even an understanding. Consequently, the controversy has to be resolved only by assuming what would be logical in such circumstances. Guided in our deductions by logic, we cannot help coming to the conclusion that the Allied committee is in the right, for it is hard to believe that a group of hard-headed business men such as are those who composed the Allied committee would, when their limited authority is taken into consideration, have agreed to any distributor proposals until these were put into writing, particularly since no concrete proposals about an arbitration system had yet been submitted; and Allied, to my own knowledge, was so bent upon obtaining a fair arbitration system that it would not have accepted a trade-practice code, even if its provisions were the finest the exhibitors could have obtained from the distributors, until the question of arbitration had been settled satisfactorily to Allied.

Personally, I am inclined to believe that the misunderstanding between the two committees was unintentional; in all probability the distributor committee members had felt so sure that Allied would approve the proposals that they made the wish father to the thought.

The statement continues:

"Assurances have been given before, and are again repeated, that any unauthorized actions inconsistent with the proposed Code will be corrected.

"With the contemplated change in the machinery for the settling of clearance disputes it is sincerely believed that we have a document (June 10th draft) that will enable all interested parties to conduct their business relationship more harmoniously and thereby benefit the industry at large.

"We are not alone in this belief, as already the majority of organized theatre owners, independent as well as affiliated, have indicated their desire to operate under such a Code and are anxious that its application be put into effect at the earliest moment possible.

"Every exhibitor in the United States, independent, affiliated, whether a member of an organization or not, is extended a cordial invitation to accept the Code. We hope that all will participate, irrespective of their affiliations.

"W. F. Rodgers

"FOR THE COMMITTEE."

Comment: It seems to me as if the tone of the statement is an accusation that Allied ran out on the Code. In his Minneapolis speech, Bill Rodgers, if my memory serves me right, made an unfortunate reference to "paid agitators," meaning, naturally, that, if it were not for these agitators among the Allied leaders, the Code would be accepted by the members.

Since Mr. Abram F. Myers, Allied general counsel, is the only one who is paid for his services, we are compelled to assume that it is he whom Bill Rodgers had in mind. The fact that Sidney R. Kent, president of Twentieth Century-Fox, upon his return to the States from his recent South American trip, singled out Mr. Myers for criticism is further proof that this deduction is correct. In commenting upon the rejection of the Code, Mr. Kent is quoted by the trade papers as having said partly the following:

"I would rather take my chances with Thurman Arnold, [Assistant Attorney General, prosecuting the Government suit against the distributors] than with Abram Myers, because Arnold has a job to do according to the law and he is doing it. But you can't tell what is in Myers' mind; I don't think it is peace."

Let us see whether Mr. Myers is blocking a distributor-exhibitor agreement—whether he does or does not want peace in the industry. But before going into the subject, let me say that Mr. Kent, in stating that he would rather deal with Mr. Arnold than with Myers, was probably no more serious than was Al Steffes when he, speaking on the convention floor, suggested that a committee consisting of distributors and exhibitors be put aboard a ship and sent out, and if after a reasonable length of time the committee did not agree upon a fair code the plug be pulled off and the boat allowed to sink, carrying with it all those on board. If Mr. Kent was serious, why did the distributors run to Harry Hopkins, Secretary of Commerce? Was it to bring them together with Thurman Arnold?

Let us now discuss Mr. Myers' attitude toward the producers' efforts at industry peace:

In the fall of 1929, the major distributors invited, through the Hays Association, Allied to meet with them for the purpose of formulating a code of fair-trade practices. At that time, president of Allied States Association was Mr. Myers. Myers appointed Steffes, Cole, Richey, Yamins and Hone as the Allied committee, with Glenn Cross as an alternate.

The Allied committee met with two other committees, one representing the distributors and the other M.P.T.O.A. The deliberations were carried on under the chairmanship of Mr. Kent, and the conference became known as the 5-5-5 conference, because the number of delegates representing each group was five.

Allied submitted to the conference a memorandum containing suggestions for a fair arbitration system, a simplified and shorter contract, protecting the exhibitor on undelivered pictures, playing pictures in order of their first run, an agreement on what days percentage pictures should be played, and for other pertinent matters; also for a fair zoning arrangement, limiting producer theatre expansion, and a national appeals board.

I remember well that Mr. Myers sat with the Allied committee and took part in every discussion, urging the distributors continually to grant to the exhibitors the most

(Continued on last page)

"Way Down South" with Bobby Breen and Allan Mowbray

(RKO, July 21; time, 62 min.)

A pleasant program entertainment. The story is thin, but that is incidental, since the picture's most important part is the music, particularly as sung by the Hall Johnson negro choir; they excel in the rendition of negro spirituals. Bobby Breen sings a few numbers effectively and acts competently. His part this time is not too important, other players being prominently cast. There are a few situations that touch one's emotions and others that provoke laughter:—

When Ralph Morgan, owner of a cotton plantation, is killed in an accident, his slaves mourn him, for he had always been to them a good master. His son (Bobby Breen) is the sole heir. Edwin Maxwell, a lawyer, takes over active management of the plantation. He mistreats the slaves and plans to sell them in order to get enough cash with which to satisfy the demands of his fiancée (Steffi Dima). Bobby is heart-broken, knowing that there was no need to bring such unhappiness to the slaves. He enlists the aid of Allan Mowbray, a café proprietor, who takes him to see the town judge (Robert Greig). After hearing the facts, Greig decides to make a trip to the plantation himself. He arrives in time to stop the sale of the slaves and to order Maxwell's arrest for pilfering estate funds. Mowbray suggests that he would make a good executor, which meets with Bobby's approval. The slaves are overjoyed, and go back to work.

Clarence Muse and Langston Hughes wrote the story and screen play; Bernard Vorhaus directed it, and Sol Lesser produced it. In the cast are Clarence Muse, Sally Blane, and others.

Suitability, Class A. Tempo not very fast.

"Each Dawn I Die" with James Cagney, George Raft and Jane Bryan

(First National, August 19; time, 91 min.)

A powerful prison melodrama. In spite of the fact that the story is heavy and, in some respects, even harrowing because of the cruelties practiced by the prison guards on the prisoners, it holds one's attention throughout. Moreover, it has deep human appeal, since one knows that the hero, a prisoner, was innocent, having been framed by crooked politicians. There are several situations that tear at the heartstrings. The situation in which the hero's mother visits him at the prison and tries to control her emotions is a memorable one; so touching is it that one cannot hold back tears. The closing scenes, showing a prison break, are thrilling; as a matter of fact, thrills occur throughout. The romance is touching:—

James Cagney, a newspaper reporter, uncovers a story involving high political officials. For refusing to forget what he had seen, the officials frame him on a drunken driving charge for a wreck in which two persons had been killed. Cagney is tried, convicted, and sentenced to prison. His sweetheart (Jane Bryan) and his newspaper associates promise to work day and night to obtain the evidence with which to free him. Cagney becomes friendly with George Raft, one of the prisoners, a notorious criminal. Discouraged at the inability of his friends to do anything for him, and knowing that he would not be paroled since the head of the parole board was one of the crooked politicians who had framed him, Cagney enters into a scheme with Raft whereby Raft could escape; Raft promises to get the necessary evidence to clear him. The plot works; but Raft, who had been annoyed because Cagney had tipped off his newspaper friends about the escape, does not do anything to help Cagney. In the meantime, Cagney, who had lost hope, becomes an unruly prisoner, suffering severe punishment therefor; also because he had refused to tell what he knew about Raft's escape. Miss Bryan finds Raft and shames him into working on Cagney's behalf. Raft returns to the prison just in time for a prison break. During the excitement, he forces one of the prisoners, who had been in on Cagney's frameup, to tell the Warden (George Bancroft) what he knew. Raft then dies from gun wounds. Cagney is cleared and freed.

Jerome Odum wrote the story, and Norman R. Raine and Warren Duff, the screen play; William Keighley directed it, and David Lewis produced it. In the cast are Victor Jory, Maxie Rosenbloom, Stanley Ridges, Alan Baxter, and others.

Not for children or adolescents. Adult fare. Class B.

"Unexpected Father" with Baby Sandy, Mischa Auer, Shirley Ross and Dennis O'Keefe

(Universal, July 14; time, 77 min.)

A pleasant program picture. The story is a little silly and the laughs somewhat forced, but the performances are so engaging that one is amused fairly well. Women may enjoy it more than men because of Baby Sandy, who wins one over by her smiles and her baby tricks; she gurgles, tries to talk, and now walks. Aside from this, the story is routine, and the romance stereotyped. There are the usual misunderstandings and a final reconciliation. Mischa Auer manages to come through with a pleasant performance, provoking laughter on many occasions:—

Dennis O'Keefe, chief usher at a theatre, is informed that his former vaudeville partner and her husband had been killed in an accident, and had left a baby boy. Accompanied by his fiancée (Shirley Ross), a chorus girl at the theatre, he goes to see the baby. He decides to take the baby to his only relative, an uncle (Paul Guilfoyle). Miss Ross offers to do so. But when she finds out that the uncle was a drunkard and lived in squalid surroundings with his wife (Mayo Methot), she refuses to give the baby up. Instead, she and O'Keefe take care of him. They take him to the theatre; one day, he crawls out to the stage in the midst of a number; this delights the audience. The newspapers print an account of it. Guilfoyle, thinking that he could make money with the baby, tries to take him away from O'Keefe. But the state authorities step in and hold the baby until they could investigate the case thoroughly. Miss Ross, having quarreled with O'Keefe, decides to marry Donald Briggs, the theatre manager, so as to make an application for the adoption of the baby. But in the meantime the court gives the baby to O'Keefe. He rushes after Miss Ross to stop the marriage, arriving just in time to do so. They are finally united.

Leonard Spigelgass and Charles Grayson wrote the screen play, Charles Lamont directed it, and Ken Goldsmith produced it. In the cast are Joy Hodges, Anne Nagle, Dorothy Arnold, and others.

Suitability, Class A. Tempo, fairly fast.

"Dead Men Tell No Tales" with Emlyn Williams

(Alliance Films Corp.; time, 69 min.)

A fair program horror melodrama; it was produced in England. It should hold the attention of those who go in for this type of entertainment, for, in addition to the horror angle, it has a mystifying plot, the murderer's identity not being revealed until the end. But it has several faults. For one thing, the story is extremely far-fetched; for another, the editing is so bad that the action is extremely choppy in spots. Even though American audiences have become accustomed to English accents, they may find them pretty pronounced in this picture:—

A middle-aged teacher in a preparatory school, situated in the outskirts of London, wins a lottery and leaves for France to collect her winnings. She stops off in London for a conference with a money-lender, who had sent her a letter suggesting that he could invest her money wisely. The money-lender meets her and lures her to his apartment, and there he kills her; he then compels his secretary to don the murdered woman's clothes and to impersonate her, so as to collect the lottery money. The scheme works. Later the money-lender kills at the school another teacher, who had accidentally found out about the impersonation. Later he kills his secretary's fiancé, who knew about the two murders. Eventually Sara Seegar, a teacher at the school, discovers that the money-lender and her cousin (Emlyn Williams), the head schoolmaster, were one and the same person. She telephones the news to her fiancé (Hugh Williams), a Scotland Yard inspector, who hastens there. In the meantime, Williams forces Miss Seegar to accompany him back to the school, his intention being to kill her. The inspector arrives in time to prevent the crime. The murderer, knowing that he was trapped, kills himself.

The plot was adapted from the novel by Francis Beeding; Walter Summers and Stafford Dickins wrote the screen play, and David MacDonald directed it. In the cast are Marius Goring, Lesley Brook, Christine Silver, and others.

Unsuitable for children or adolescents. Adult fare. Class B. Although the action is not fast it holds one's attention.

"Hidden Power" with Jack Holt and Gertrude Michael

(Columbia, August 3; time, 59 min.)

Mild program fare. The picture will prove disappointing to the Jack Holt fans, for it is completely lacking in action; moreover, the story is trite, and the production values poor. Watching the indifferent performances, one gets the feeling that the players, disgusted with the material, did not make an effort to act convincingly. All in all, it is pretty dull entertainment:—

When Jack Holt, a doctor-chemist, refuses to sell to a chemical concern a high explosive he had discovered, his wife (Gertrude Michael) is so disgusted that she leaves him, taking their son (Dickie Moore) with her. Holt works on an anti-toxemia formula to be used in cases of severe burns; but the first test fails. Feeling that the test had not been done properly, since the patient had had a very bad heart condition, Holt does not lose faith in his work. Dickie, unhappy at being separated from his father, runs away from his uncle's home, where he had been living with his mother, and goes to his father. Miss Michael goes after him in her car, insisting that he return with her. She meets with an accident in which she is killed and Dickie suffers severe burns. Holt, despite the risk involved, uses his formula on Dickie; it works and the boy recovers. This brings fame to Holt. Father and son are joyfully reunited.

Gordon Rigby wrote the original screen play, Lewis D. Collins directed it, and Larry Darmour produced it. In the cast are Wm. B. Davidson, Henry Kolker, Regis Toomey, George Meeker, and others.

Suitability, Class A. Tempo, slow.

"A Woman Is the Judge" with Frieda Inescort, Otto Kruger and Arline Judge

(Columbia, July 10; time, 62 min.)

A fair program drama. Although the story is far-fetched, it has human interest, with an appeal mostly to women. The story itself is somewhat sordid, for it deals with attempted blackmail and murder. But the redeeming feature is the mother love angle, which necessitates sacrifice on the mother's part. Although the character portrayed by Arline Judge is not pleasant, one respects her courage in refusing to implicate her mother:—

Frieda Inescort, a woman judge, loves Otto Kruger, public prosecutor, but refuses to marry him. The reason for this was that she devoted and was devoting her time to finding her long-lost daughter, whom her brutal husband, who had since died, had taken away from her when a child. Miss Judge, who worked for a racketeer (Arthur Loft), knows that Miss Inescort is her mother, but she does not go to her for fear of besmirching her name. Her father, who had been a criminal, had brought her up amongst racketeers, and that was the only trade she knew. Loft is indicted in a criminal action, and his case is set before Miss Inescort. Knowing of the relationship, he asks Miss Judge to go to her mother to intervene for him. But she refuses. In a quarrel that follows she accidentally shoots and kills him. She refuses to talk, preferring to take her medicine, whatever it would be. But Mayo Methot, her roommate and partner in racketeering, learns the truth and goes to Miss Inescort; she reveals everything to her. Miss Inescort resigns as judge in order to defend her daughter. In addressing the jury, she puts the blame upon herself, pleading for the girl's acquittal. The jury find Miss Judge "not guilty"; mother and daughter are happily united. Miss Inescort agrees finally to marry Kruger.

Karl Brown wrote the original screen play, Nick Grinde directed it; in the cast are Gordon Oliver, Walter Fenner, and others.

Not for children. Fare for adolescents and adults. Class B. Tempo, a little slow.

"This Man Is News" with Barry K. Barnes and Valerie Hobson

(Pinebrook Ltd.-Paramount, Aug. 18; time, 74 min.)

This British-made picture is a fast-moving, at times exciting, newspaper-gangster melodrama, with pretty good comedy situations. Although the story has mass appeal, its box-office possibilities for American audiences are doubtful, because the players are not well known and the accents are at times a bit "thick." There is no doubt, however, that if people should go to see it they will be entertained; the mystifying mood of the plot and the constant danger to

which the hero is subjected keep one in suspense throughout. Two scenes that should be eliminated are those that show the villain playing with white mice, for they disgust one. Incidentally, there are in the dialogue three lines that are extremely suggestive:—

Barry K. Barnes, a newspaper reporter, follows a hunch in a case in which one of the witnesses had turned state's evidence; he felt certain that the gangsters would kill this witness. The editor (Alastair Sim), angry at Barnes for wasting his time on the case, discharges him. Barnes' wife (Valerie Hobson) suggests that, in order to raise their spirits, they should stay at home and drink the three bottles of champagne that had been given to them as a gift. Under the influence of the drink, Barnes decides to play a trick on Sim. He telephones and informs him that the witness had been murdered and that he had been an eye-witness to the murder. Sim is so excited, that he hangs up the receiver before Barnes had a chance to tell him he was joking. Barnes is horrified when he reads the paper the next morning to find out that Sim had printed the story; but what surprises him more is the fact that the witness had actually been murdered. Barnes' life becomes hectic after that; on one hand, he is pestered and accused by the police of knowing more than he was telling; on the other, the gangsters, fearing that he knew too much, try to kill him. Working with the police, Barnes finally traps the gang, proving that a reporter who worked on his paper was one of the gang, and that he had been supplying information to them. Barnes and his wife are happy when the case is finally settled. He gets his position back and with it an increase.

Roger MacDougall and Allan MacKinnon wrote the story, and Roger MacDougall and Basil Dearden, the screen play; David MacDonald directed it, and Anthony Havelock-Allan produced it. In the cast are John Warwick, Philip Leaver, James Birrie, and others.

Unsuitable for children and adolescents. Adult fare. Class B.

"Frontier Marshal" with Randolph Scott, Cesar Romero, Binnie Barnes and Nancy Kelly

(20th Century-Fox, July 28; time, 71 min.)

A good western. The story is not unusual; nevertheless it has pretty good mass appeal, because of the fast and exciting action, which includes gun as well as fist fights, and thrilling encounters between bad men and the law enforcers. The town of Tombstone (Ariz.) serves as the background. The story, which is presumably based on real characters and events, relates how a daring deputy sheriff, with the aid of a friend, rid the town of the gangster influence. The romantic interest, which is most likely fictional, is fairly appealing:—

Randolph Scott arrives at Tombstone just at a time when a drunken member of an outlaw band was terrorizing the citizens. He wins everyone's admiration by his courage in capturing the outlaw. He decides to accept the Sheriff's invitation to stay in Tombstone as a deputy Sheriff. Cesar Romero, a doctor, feared throughout the land because of his quickness with the trigger, admires the courage of Scott, whom he had upbraided for insulting his girl friend (Binnie Barnes), a music hall entertainer, and they become friends. Romero is upset when Nancy Kelly, the girl to whom he had once been engaged, arrives in town; he orders her to leave, for he felt she was too good for him, particularly since he was a sick man. But Scott, knowing that Romero needed Miss Kelly, induces her to stay. This infuriates both Romero and Miss Barnes. The latter, having overheard the sheriff's plans for shipping gold by the stage coach, informs the leading bad man about it, hoping that Scott would be killed during the holdup. But Scott, together with Romero, who happened to be on the same coach, overpowers the outlaws and returns with the gold. Just when Romero had decided to change his ways and to accept Miss Kelly's devotion, the outlaws kill him. Scott goes after them and captures them. Miss Barnes, heartbroken at Romero's death, shoots the bandit leader. Miss Kelly decides to remain at Tombstone, feeling that she would be happier by living in the town where Romero had lived.

Stuart N. Lake wrote the story, and Sam Hellman, the screen play; Allan Dwan directed it, and Sol M. Wurtzel produced it. In the cast are John Carradine, Edward Norris, Eddie Foy, Jr., Ward Bond, Joe Sawyer, and others.

Not for children. Suitable for adolescents and adults. Class B.

important relief recommendations contained in the Allied memorandum.

On July 3, 1939, or approximately seven months after the conference started, the conferees reached an agreement, and although most of the Allied recommendations, particularly the recommendation for limiting theatre expansion, had not been accepted, the Allied committee felt that enough had been granted to the exhibitors to make a good start. An improved form of standard contract and an arbitration system had been obtained; also a vague outline of a national appeals board, which Mr. Myers felt that it at least laid the foundation for a better future board.

Then and there Mr. Myers announced that he would undertake to persuade every Allied unit to ratify the agreement, by a personal visit to the different zones if it became necessary.

Allied waited in vain for a ratification by the producers; it heard nothing of the agreement.

By fall, it became evident that the major companies did not intend to put the agreement through.

(To be concluded next week)

STORY FORECASTS FOR THE 1939-40 SEASON

RKO (Radio Pictures)

(Continued from last week)

"DISTANT FIELDS," the play by S. K. Lauren, with Barbara Read and John Archer, a domestic triangle drama, dealing with a married doctor who, after achieving financial success with the help of his wife, encounters his former sweetheart; she wanted their old romance renewed. At the crucial moment, the sweetheart's husband appears and threatens to tell his, the doctor's, wife so as to destroy his happiness. But the doctor's wife, suspecting the truth, does not lose her courage. She is rewarded by finding out that her husband's love was the kind that endured.

Comment: There is much unpleasantness in this story, which, as the synopsis indicates, deals with marital troubles. It is not pleasurable to see in picture entertainment a threat to a happy home. From what one is able to gleam from the synopsis, the hero is shown as a somewhat weak character, for although he has a good wife he allows himself to fall in the net of his former sweetheart.

Forecast: The story may make a pretty strong drama, but it will not be so pleasant, unless, of course, situations as well as characterizations are altered; and the leads indicate that it is to be of the program class.

"FATHER DAMIEN," to be founded on "Damien the Leper," the biography of Father Damien by John Farrow. The book was first published in 1937, and is now in its eleventh edition. It has been translated into many languages. The biography relates to the doings of Father Damien, a Catholic Priest. Most of these doings take place in Hawaii, where he went. In time, he goes to the leper colony of Molekai Island, bringing much relief to the unfortunate lepers. Eventually he himself is stricken by the disease, and dies of it.

Comment: This is hardy material for a moving picture intended to entertain people, despite the interestingly marvelous work Father Damien is shown as having done, and of his great sacrifice. RKO, however, intends to suppress the scenes about the lepers, showing only his other works.

Forecast: If the scenes showing lepers and the effects of the disease on human beings are left out, the picture should turn out either good or very good in quality, but in view of the fact that there is no romance, its box office possibilities are problematical. Perhaps a player such as Spencer Tracy in the role of Father Damien may help it draw.

"THE ENCHANTED COTTAGE," the play by Sir Arthur Wing Pinero, with Ginger Rogers. It is a romance, dealing with a young Englishman who, having returned from the war wrecked in body as well as soul, refrains from going home because he did not want his family to take care of him out of pity. He asks a young but ugly-looking girl to marry him. Soon a wonderful thing happens: they imagine themselves extremely beautiful. But when others fail to perceive their good looks they realize that they looked beautiful to each other only because they were in love. The girl is about to become a mother. She goes to sleep and dreams that a ghostly cherub, who had danced with them in her dream the night before, pops out of a chest and nestles in her arms.

Comment: The play was put into pictures once before,

in 1924, by First National. Richard Barthelmess and May McAvoy took the parts of the boy and of the girl. Although the picture turned out excellent, it proved suitable only for cultured patrons. The producers tried to adhere to the play too faithfully. As a result, they made the two characters somewhat repulsive.

Forecast: Pandro Berman, the producer who will put it into pictures this time, should learn from that experience and avoid adhering to the play too closely. He should not make the boy and the girl too ugly. He should also produce it as a modern, and not as a costume, picture. If he should make this change, he should produce an excellent picture with it, for the material is very fine. And it should perform at the box office either very well or excellently.

"THE FLYING DEUCES," with Stan Laurel and Oliver Hardy, an original story by Ralph Spence and Alfred Schiller. The story opens at the close of the American Legion convention in Paris, France, showing the two comedians in uniform and cleaning up the Legionnaires and a French Lieutenant at a dice game. Feeling that they had a streak of luck, they go to Monte Carlo, where they lose everything. A beautiful young French girl entices them into signing a paper, supposedly a check, but really an enlistment in the Foreign Legion. In Africa they are assigned to the aviation corps, and have many thrilling experiences.

Comment: This is very good comedy material for these two comedians. The scenes that show them finding themselves in a plane in the air without an ability to fly, should make people, not only laugh, but gasp for breath. Although this is old stuff, it never fails to be effective.

Forecast: The picture should turn out either good or very good, with box office results depending in each locality on the popularity of Laurel and Hardy.

"FULL CONFESSION," to be based on an original story of Leo Birinski, to star Victor McLaglen—a murder melodrama in which the murderer, conscience-stricken, makes a last minute confession, saving an innocent man from going to the chair. The character that brings this about is a Catholic priest, who, unable to tell the authorities what he knew, because the canons of the church forbid a priest from revealing what a person had confessed to him, veritably "hounds" the hero.

Comment: It is manifest that the producer who has undertaken to produce this story hopes that he has another "Intormer" in his lap, but it is doubtful whether he will obtain such results, for, to begin with, the hero in the "Intormer" did not commit either robbery or direct murder, as he commits in this story. In this instance, the hero, having been caught by a policeman in the act of robbing a store of a valuable fur, which he intended to present to the girl he loved, shoots and kills the policeman. Another unpardonable sin he commits is his striking the priest, sending him against sharp iron spikes, and wounding him dangerously. It is hard for followers of the Catholic faith to forgive an act of this kind.

Forecast: There is no doubt that the picture will turn out to be powerful, because there is action all the time, and one's interest is gripped. But whether it will prove an acceptable entertainment will depend entirely on the alterations, in situations as well as characterizations, that the producer will make. In the New York Sunday Times, of July 23, Douglas Churchill, its Hollywood correspondent, stated that alterations will be made. A priest has also been engaged to advise in the technical end of it so as, not only to make the picture free of technical errors, but also to avoid offending Catholics. As the story now stands, it is a very unpleasant entertainment.

"THE HUNCHBACK OF NOTRE DAME," the famous classical novel by Victor Hugo, with Charles Laughton and Sir Cedric Hardwicke in the leading parts, to be directed by William Dieterle, director of "Juarez," "Blockade," "The Life of Emil Zola," and of other such pictures.

Comment: This novel was put into pictures once before—in 1923, by Universal. It is so big a subject that it is "repeatable," particularly since sixteen years have elapsed from the time it was first produced. The late Lon Chaney, who took the part of the hunchback in the Universal version, was very popular; but so is Charles Laughton, who will take the same part in the RKO version. There is fast action in the entire story, and there is a charming romance.

Forecast: RKO intends to produce this subject on a large scale. Consequently, it should turn out a big-scale picture, not only from the quality, but also the box-office, point of view.

(To be continued next week)

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Publisher****P. S. HARRISON, Editor****Established July 1, 1919****Circle 7-4622****A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING****Vol. XXI****SATURDAY, AUGUST 12, 1939****No. 32****RODGERS'S ANSWER TO ALLIED***(Concluded from last week's issue)*

The question discussed in last week's editorial of this series was whether Abram F. Myers, Allied general counsel, is or is not in favor of an understanding between independent exhibitors and the major distributors. These distributors have charged, by indirection, of course, that Myers is a "paid agitator," whose object is to block such an understanding, and it is no more than fair to those of you who have held the contrary opinion—the opinion that he has fought for your interests unselfishly and with perseverance, to know whether the accusation is justified.

The subject matter in that editorial was the actions of Mr. Myers during the 5-5-5 conferences (1930), conducted under the chairmanship of Mr. Kent. During those conferences Mr. Myers proved that he, not only favored an understanding, but did all there was in his power to bring about the conclusion of an agreement. Unfortunately, the major companies failed to put that agreement into force, thus running out, not only on the exhibitors, but also on their own representative, Mr. Kent.

Let us now deal with the facts of another conference, the 2-2-2 conference, which, too, was conducted under the chairmanship of Mr. Kent.

Early in 1932, a few distributors began selling their pictures in some localities exclusively. That is, they would allow, as you know, only one theatre to show them, and the management of the favored theatre would advertise the fact to the town folk, the theory being that, if the picture-goers learned that certain desirable pictures would not be shown anywhere else except in that theatre, they would have to go there if they wanted to see these pictures at all.

Among the exhibitors who revolted against such a policy of picture leasing was M. A. Lightman, at that time president of Motion Picture Theatre Owners of America. Lightman became so incensed that he communicated with Allied States Association, and assured its executives that he and his organization were ready to back up the Allied program of seeking industry reforms through legislation.

After much correspondence, a meeting was arranged and, on September 20 (1932), delegates representing M. P. T. O. A. and Allied States met at the Congress Hotel, in Chicago, and the Allied legislative program, specifically the Brookhart Bill, parent of the Neely Bill, received the endorsement of the M. P. T. O. A. delegates.

It was at this juncture that Mr. Kent again interposed and arranged for a conference between the two exhibitor associations and his own company, Fox Film Corporation, and shortly afterwards two representatives from each group, Allied, M. P. T. O. A., and Fox Film Corporation, met to discuss and to adopt a trade practices code.

Mr. Kent made it clear to both Allied and M. P. T. O. A. that, in these negotiations, he represented no other company except his own, but he expressed the belief that, if the conferees should reach an agreement, he would undertake to persuade the other film companies to adopt it.

Mr. Myers, not only did not oppose Kent's suggestion, but, in a desire to expedite an agreement among the conferees, he had himself appointed as one of the delegates.

After much discussion, the delegates reached an agreement.

At the suggestion of Mr. Kent, the agreement was submitted by a subcommittee of the full committee to every one of the national distributors with a request that they inform both exhibitor organizations, not later than November 19, whether they were willing to put the agreement into effect for a period of three years beginning January 1, 1933; Allied and M. P. T. O. A. were to hold two mass meetings, the one on November 30, in Chicago, and the other on December 3, in New York, for the purpose of giving the

exhibitors of the rank-and-file a chance to say whether they were willing that the legislative program be abandoned in favor of the agreement, and the two exhibitor bodies had to have a reply before the first mass meeting.

Of the distributors, only one—Fox Film Corporation, replied; it informed the two exhibitor associations that it would be willing to adopt the agreement as indicated by the subcommittee. United Artists and Columbia replied that they would not subscribe to the agreement, United Artists giving as a reason its belief that the move might be considered "concerted action" in the event that litigation arose. Paramount and Warner Bros. replied that they could not reach a decision before November 19, but did not indicate when they would be able to decide. Universal indicated dissatisfaction with certain provisions of the agreement, but expressed a desire to negotiate with the committee for a plan to apply only to Universal. MGM indicated that it could not use the optional contract form without expanding the Schedule to accommodate its sales policies; further, that it would have to give the matter additional thought before deciding. RKO did not reply.

When the major distributors went back on the exhibitors and on Mr. Kent in the 5-5-5 conferences, and when they refused to follow Mr. Kent's lead in the 2-2-2 conferences, no independent exhibitor held Mr. Kent accountable for their actions. By the same token, neither Mr. Kent nor any other distributor should have held Mr. Myers accountable for the refusal of Allied to accept the new code, particularly since the Allied negotiating committee's report was approved by every member of the board of directors.

But the question of whether the distributors or Allied did the first running out on the other, or of whether Sidney Kent prefers to deal with Thurman Arnold rather than with Abram F. Myers, or whether Abram Myers prefers to deal with W. F. Rodgers rather than with Kent, is not the point at issue; the question is: can the June 10th Code cure the industry evils that are sapping its vitality? That is the real issue! The distributors say, "Yes!"; the Allied exhibitors say "No!" Can, then, the two opposing views be reconciled? Let us examine the facts:

When the recent conferences for the formulation of the Code began, it became apparent from the very first meeting of the Allied and the distributor committees that it would be impossible to agree upon a formula that would bring permanent peace in the industry, for the distributors refused even to discuss one of the industry's greatest evils—theatre control by producers and distributors; and, after the conferences were well under way, they sternly refused to consent to the elimination of block-booking and blind-selling, offering as a substitute an enlarged, but definitely inadequate, cancellation privilege.

But why, you will say, should Allied have continued the negotiations when it became known that the distributors would not consent to the elimination of these two evils? It is evident that Allied, by not breaking off relations then and there, hoped eventually to win them over on these subjects; but its hopes did not materialize. Hence its action in Minneapolis.

Personally I feel that the time that Allied should have made its decision was, not in Minneapolis, but, as I said once before in these columns, in New York, at the very first meeting, when the distributors refused to discuss theatre divorcement. On the other hand, the time for the distributors to have withdrawn the Code from Allied was, not in Minneapolis, but likewise in New York, when Mr. Rodgers learned from Col. Cole, president of Allied States Association, that Allied did not intend, either to abandon the Neely Bill, or to withdraw its support from the Government in the pending suit.

This paper believes that, until the producers abandon block-booking and blind-selling and show a willingness at

(Continued on last page)

"Our Leading Citizen" with Bob Burns*(Paramount, August 11; time, 88 min.)*

Despite a good production and competent performances, this drama is limited in its appeal to Bob Burns' fans. The trouble lies in the plot, which is involved, and touches upon subjects that do not make for entertainment. For instance, the situations dealing with a strike and with the tactics employed both by strikers and employer are unpleasant, for they result in violence and bloodshed; with so many actual strikes taking place today, audiences are in no mood to pay to see a reenactment of them. Moreover, a good deal of patriotic propaganda is inserted, not subtly, but in the form of preachment, which tends to slow up the action. The political involvements towards the end are amusing, and hold one in suspense. The romance is of minor importance:

Bob Burns, leading lawyer in an American industrial town, is disappointed when his deceased partner's son (Joseph Allen), who had just been graduated from law school and was to become Burns' partner, chooses to represent Gene Lockhart, the town's leading industrialist. Burns felt that their place was with the common people, whom they had always represented. When a strike breaks out in Lockhart's plant, the members of the board of directors plead with him not to call in strike breakers; but Lockhart refuses to listen to their pleas. Burns and a few others resign; at the same time Burns breaks with Allen, who insisted on representing Lockhart. Strike breakers, led by Charles Bickford, enter the town and start fighting; the factory foreman is killed. This arouses the people. Lockhart, frightened, attends a mass meeting at which he offers to reinstate all the strikers and to give back the reduction; at the same time, desiring to change the subject, he informs the assembled folk that he intended nominating Allen for the Senate. Burns is resentful, for he knew Allen was inexperienced. He gets together enough evidence to prove Lockhart's crookedness in many business dealings; first, he forces Lockhart to return to a poor widow money he had stolen from her. Then he orders Lockhart to withdraw Allen as a candidate. Allen's eyes are opened when all the evidence is put before him. At the state convention, Allen names Burns as the candidate, which is accepted with cheers. Burns, who had been out rounding up the men responsible for the foreman's death, enters and, to his surprise, is cheered. Lockhart is arrested as an accessory to the murder. Allen and Burns' daughter (Susan Hayward) are united.

Irvin S. Cobb wrote the story, and John C. Moffitt, the screen play; Alfred Santell directed it, and George Arthur produced it. In the cast are Elizabeth Patterson, Clarence Kolb, Paul Guilfoyle, Kathleen Lockhart, and others.

Too depressing for children; otherwise suitable for all. Class A. Tempo fairly fast.

"In Name Only" with Carole Lombard, Cary Grant and Kay Francis*(RKO, August 18; time, 94 min.)*

Very good! It is a strong triangle drama, strictly adult in appeal. Produced with care, acted with sincerity by a capable cast, and directed with intelligence, the picture offers entertainment that mass as well as class audiences will enjoy. One is in deep sympathy with the hero and the heroine, who try to solve their romantic problems. The fact that the hero is married to another woman does not lessen one's respect for him, for it is clearly established that the wife, a mercenary woman, had married him for his money. Several of the situations are of the real "tearjerker" variety; they are caused by the unhappiness of the hero and the heroine. The ending is extremely powerful; not only is it logical but it is satisfactory as well:—

Carole Lombard, a widow with a four year old daughter, meets Cary Grant, wealthy and charming. They fall deeply in love with each other. Miss Lombard, learning that Grant was married to Kay Francis, insists that their friendship end. But when he informs her that he had learned after their marriage that Miss Francis loved some one else, that she had married him only for his money, and that she had made his life miserable, Miss Lombard decides to wait for him, hoping he would obtain a divorce. Grant's parents, who were entirely under the influence of Miss Francis, upbraid Grant for his heartless treatment of his wife. Grant urges Miss Francis to go to Paris for a divorce; she leaves with his parents, promising to obtain it. After months of waiting, Grant and Miss Lombard are heartbroken when, upon Miss Francis' return, they learn that she had no intention of divorcing him, and decide to part. Grant gets drunk, goes to a cheap hotel, and falls asleep in front of an open window; the next morning he becomes very ill because of the freezing temperature. The hotel manager calls for

Miss Lombard, whose address he had found in Grant's pocket; she rushes to his side and nurses him for two days. But when he takes a turn for the worse, she calls his family physician, who rushes him to the hospital; she follows him there. On advice of the doctor, Grant's father permits her to see Grant and to encourage him to get well. Miss Francis goes to the hospital to see Grant, but Miss Lombard refuses to permit her to enter his room. Without realizing that Grant's parents were listening, Miss Francis tells Miss Lombard she would rather see Grant dead than married to her. Besides, she was interested in getting not only his money but his father's, when he would die. Shocked, the father advises her to take what she could from Grant and release him. For the first time, the father realizes how noble Miss Lombard was and is happy to give his consent to their union after the divorce.

The plot was adapted from the novel by Bessie Breuer. Richard Sherman wrote the screen play, John Cromwell directed it, and Pandro Berman produced it. In the cast are Jonathan Hale, Nella Walker, Katharine Alexander, Helen Vinson, Peggy Ann Garner, and Frank Puglia.

Hardly a picture for children. Suitable for adults and adolescents. Class B. Although the tempo is not fast the action is always engrossing.

"Beau Geste" with Gary Cooper, Ray Milland, Robert Preston and Brian Donlevy*(Paramount [1939-40], September 15; time, 113 min.)*

Gary Cooper's popularity and the fame of the novel should make this a box-office attraction of varying degrees, but it is only fairly good entertainment. It lacks the appeal and thrill of the first "Beau Geste," produced in 1926, one reason being that the story is somewhat outmoded, even though several alterations were made. Those who did not see the first picture, however, may be pretty much thrilled and their interest may be held by a mystery, which is not cleared up until the end. The most appealing thing is the love between three brothers, and the sacrifices they make for one another. Parts of the picture are somewhat harrowing; they deal with the cruelty of an officer towards his men. The romance is of little consequence. Most of the action takes place in the African Desert. The story is told in flashback:—

Gary Cooper, one of three brothers who had been reared by a devoted aunt, knowing that his aunt would be disgraced when it was discovered that she had sold a precious emerald belonging to her husband, putting a paste necklace in its place, steals the imitation. He knew that the money was spent on him and his brothers. He runs away, leaving a note saying he had stolen the emerald. Knowing that he had joined the Foreign Legion, the other two brothers (Ray Milland and Robert Preston), who had complete faith in Cooper's honesty, do likewise so that the blame would not fall only on Cooper. Eventually the three meet at a fort in the African Desert. A jewel thief (J. Carrol Naish), having overheard the brothers jesting about the emerald, and knowing that Cooper had the jewel with him, is determined to steal it. He takes into his confidence the brutal Sergeant (Brian Donlevy), who promises to help him. Some of the men, including Preston, are sent to another fort. Just when the men had started a revolt against Donlevy, they are attacked by native tribes. Every one but Milland and Donlevy are killed. When Milland, who had warned Donlevy not to put Cooper's body in an upright position against the battlement so as to fool the natives, as he had done with the other dead men, finds him searching for the diamond and lifting Cooper's body up, he kills him. Just then Preston and his detachment arrive, and are both puzzled and amazed at what they find, and at not receiving a response from within the fort. Preston goes over the wall and finds Cooper's body; Milland had escaped. He puts the body in a bed, with Donlevy at the foot of it, in order to keep a vow he had made to Cooper when they were children—that if Cooper should die, he would give him a viking burial, with a "dog" at his feet. He then sets fire to the bed and the fort goes up in flames. He finds Milland, and they try to get through. But Preston is killed by a sniper. Milland survives and returns home with a letter Cooper had given him to deliver to his aunt. The letter explained that Cooper knew about the emerald and that he had sacrificed his life for his aunt's sake. Milland and his sweetheart (Susan Hayward) are united.

The plot was adapted from the novel by Percival C. Wren; Robert Carson wrote the screen play, and William A. Wellman directed and produced it. In the cast are Albert Dekker, Broderick Crawford, Charles Barton, and others. Suitability, Class A.

"Miracles for Sale" with Robert Young and Florence Rice

(MGM, August 4; time, 71 min.)

Just moderately entertaining program fare. It mixes comedy with murder mystery-melodrama, but is not unusual from either standpoint, since the comedy is forced and the murderer's identity is obvious. The only thing that might appeal to the masses is the fact that tricks of magic are performed and the methods employed to perform them are disclosed. The love interest is pleasant:—

Robert Young, a former famous magician, who had retired from the stage to devote his time to inventing new illusions for sale to the trade, is known also for his work in uncovering the trickery employed in occultism. He receives a visit from Florence Rice, who wanted him to help her; but before being able to tell him anything, she becomes frightened and refrains from confiding in him. Young, who had become attracted to her, decides to help her anyway. In a short time two murders are committed, in which Miss Rice and other magicians become involved. Young, working with the police, traps the murderer. He proves that he had killed the first man, husband of Miss Rice's sister, because he had been blackmailing him, and the second man, because he knew too much. By the time the case is solved, Young and Miss Rice are in love with each other.

Clayton Rawson wrote the story, and Harry Ruskin and James E. Grant, the screen play; Tod Browning directed it. In the cast are Frank Craven, Henry Hull, Lee Bowman, Cliff Clark, Astrid Allwyn, and others.

Not for children, but suitable for adolescents and adults. Class B. Tempo fairly fast.

"Elsa Maxwell's Hotel for Women" with Linda Darnell, James Ellison and Ann Sothorn

(20th Century-Fox [1939-40], August 4; time, 83 min.)

Even though this picture has been produced lavishly, it is just fair entertainment, suitable mostly for women. Men may be bored, for the story revolves around the problems of young girls who try to make a place for themselves in a big city; and what there is of a story is pretty trite. Linda Darnell, a newcomer, is youthful and good-looking, and should go far; but as far as this picture is concerned, she is photographed in so many close-ups and in other poses that one gets the impression that the picture was made in order to screen-test her. Elsa Maxwell's name may prove a drawing card in centers where people have read about her society exploits; they may be curious to see her; otherwise, the picture lacks box-office names of value:—

Miss Darnell, who had left her family in Syracuse in order to join her home-town sweetheart (James Ellison), from whom she had been separated when he left for New York to make his way as an architect, registers at a hotel for women only. Her arrival is a complete surprise to Ellison; he makes her understand that immediate marriage would be a bad thing for his career, and so they part. Heartbroken, Miss Darnell prepares to go back home. But Ann Sothorn, who had the room next to her's, induces her to stay on and work. Miss Sothorn introduces her to Sidney Blackmer, a model's agent, who in turn sends her to Alan Dinehart, head of a large advertising agency. Dinehart is struck by her beauty and immediately engages her. She becomes an overnight sensation. This worries Ellison, who still loved her. He is enraged when she shows an interest in his employer (John Halliday), who was known for his affairs with women. Lynn Bari, Halliday's mistress, warns Miss Darnell to keep away from Halliday, but she refuses. Miss Darnell accepts an invitation to dine with Halliday at his home; Miss Bari enters and shoots him. Although Halliday was wounded but slightly, the affair involves Miss Darnell in a scandal, thereby spoiling her chances as a model. But she does not care, for she and Ellison had become reconciled and planned to marry.

Elsa Maxwell and Kathryn Scola wrote the story, and Miss Scola and Darrell Ware, the screen play; Gregory Ratoff directed it, and Raymond Griffith produced it. In the cast are Katharine Aldridge, Jean Rogers, June Gale, Joyce Compton, Elsa Maxwell, and others.

Not for children. Suitable for adolescents and adults. Class B. Action somewhat slow-moving.

"Bad Lands" with Robert Barrat

(RKO, August 11; time, 70 min.)

Just a moderately entertaining program melodrama. An idea similar to the one that was employed in "Lost Patrol," produced by RKO in 1934, is employed, but without the effectiveness of the other. The philosophizing on the part

of the ten men who were trapped by Indians and doomed to die tends to bore one; and, since the action is confined to practically one spot, the spectator becomes restless. Whatever appeal this picture may have will be directed only to men, for there is no romance and no women in the cast:—

Sheriff Robert Barrat and a posse of nine men start out across the Arizona Desert in search of a half-breed Indian, a dangerous killer. Their water soon gives out and, fearing that they would die of thirst, they keep going. Fortunately they come upon a water hole, where they are able to refresh themselves. One of the men discovers silver and makes an attempt to desert in order to enter a claim. But Barrat warns him not to do so until they had first finished the job they had set out to do. A shot warns them that they were in Indian country. One shot follows another and, since they could not see the snipers, they realize that they were trapped. Unnerved and broken in spirit, the men fight amongst themselves. Eight are gradually killed, the Sheriff and one other having survived. The Indians, thinking they had killed all, make an appearance; Barrat and the other man open fire on them; they kill the Indian they had gone after. But Barrat alone survives. A contingent of U. S. Cavalrymen find him in a slightly demented condition.

Clarence Upson Young wrote the story and screen play; Lew Anders directed it, and Robert Sisk produced it. In the cast are Noah Beery, Jr., Guinn Williams, Douglas Walton, Andy Clyde, Addison Richards, Robert Coote, Paul Hurst, Francis Ford, and others.

Suitability, Class A. Action somewhat slow.

"Stanley and Livingstone" with Spencer Tracy, Sir Cedric Hardwicke, Nancy Kelly and Henry Hull

(20th Century-Fox [1939-40], August 18; time, 101 min.)

This picture gives one the impression of being partly a travelogue and partly a drama, but it is neither a good drama nor a good travelogue. It is only a fair entertainment. To like it well, one must have an interest, first, in the development of Africa, and secondly in converting the blacks into Christians. But there will be a drawback even in the case where one may be interested in converting the natives, for different sects may have different views as to that.

Henry M. Stanley and David Livingstone are historical personages: Livingstone was an explorer, who had been reported lost in exploring Africa, the Dark Continent, and Stanley went to find him. How much of the picture story, however, is fiction and how much fact is hard to tell from the picture unless one reads history.

In the picture story, Stanley (Spencer Tracy), an ace reporter for James Gordon Bennett's New York *Herald*, is sent to Africa to find Dr. David Livingstone (Sir Cedric Hardwicke), a missionary, who had been reported lost, after the efforts of Gareth (Richard Greene), son of Lord Tyce (Charles Coburn), owner of the London *Globe*, had made the attempt and failed, taking the word of the natives that Livingstone was dead. Stanley reaches Zanzibar and calls on John Kingsley (Henry Travers), British consular agent, to obtain a passport, so that he might travel under English protection. There he meets Kingsley's daughter Eve (Nancy Kelly), and immediately becomes attracted to her; she had been taking care of Gareth, who had returned from the expedition fever-racked. Eve attempts to persuade Stanley to abandon his plans because of the danger to his health, but he is inflexible. After encountering great dangers from animal, native, insect and the rain, Stanley finds Livingstone alive, not a shrivelled old man, prisoner of the natives, but well and working among the natives to convert them to Christianity; also mapping out much of South Africa. Livingstone tells Stanley that he could not return to civilization, for he wanted to carry on. Full of admiration, Stanley returns to London with Dr. Livingstone's maps and reports to the Geographical Society. There he finds Eve married to Gareth and is heartbroken. But the Society does not receive Stanley's documents as genuine, accepting the supposition, supported by Lord Tyce, that they were fraudulent. Right at the moment, however, word reaches the Society that Dr. Livingstone's body had been taken by the natives to Zanzibar. Documents found on the body proved Stanley's contentions correct. The Society offers to Stanley its apologies. He returns to Africa to take up the work where Livingstone had left it.

The screen play is by Philip Dunne and Julien Josephson. The direction is by Henry King. Kenneth Macgowan is the producer. Others in the cast are Walter Brennan, Miles Mander, David Torrence and Paul Stanton.

Morally not objectionable to any one. Suitability, Class A.

least to limit, if not entirely abandon, their theatre operations, there can be no peace in the industry. The distributor decision to put the Code into effect without the co-operation of Allied will not solve the industry's problems, for it has a fundamental defect: it ignores the evils from which all the others spring. The question is, therefore, whether the major distributors will effect reforms on the outstanding evils voluntarily or have such reforms imposed on them by the Department of Justice and the United States Congress; or else go broke in litigation. They will have to make a choice!

STORY FORECASTS FOR THE 1939-40 SEASON

RKO (Radio Pictures)

(Continued from last week)

"IVANHOE," the Sir Walter Scott classic, which was published for the first time in 1820, dealing with the attempts of John, brother of King Richard, to take the throne away from his brother while he was away in the Holy Land, fighting the Saracens. As part of his scheme, John induces the Emperor of Austria to hold Richard as a hostage. Richard escapes from Austria and, accompanied by Ivanhoe, his trusted friend and a valiant warrior, reaches England in disguise. Gilbert captures Ivanhoe and carries him to his castle, thus hoping to lure there King Richard so as to kill him. But Ivanhoe, despite the tortures, refuses to reveal Richard's hiding place. Unknown to Robin Hood, Richard was among his men. When Richard learns of Ivanhoe's plight, he reveals his identity to Robin Hood, who promises to join him in Ivanhoe's rescue. With the aid of Robin Hood, Richard rescues Ivanhoe, defeats usurper John, and restores England to the people. Ivanhoe marries Rowena, a Jewess, whom he had met, and who had helped him against his enemies.

Comment: "Ivanhoe" was produced once before, in 1913, as a two-reel subject. At that time, any film of more than one thousand feet of length was considered a feature. It made a great hit. The novel has been read by millions and enjoyed by them. And it is taught in some schools.

Forecast: There is no doubt that "Ivanhoe" will make an excellent picture, of first magnitude, so far as quality is concerned, for the action is fast, there are plentiful heroics, the kind that thrill, and many of the situations appeal to the emotions of sympathy. So far as the box office is concerned, however, there is a drawback—it is a costume story. But in view of the fact that "Robin Hood" has made a great box-office success, "Ivanhoe," too, may have a similar success, particularly if RKO should produce it in natural colors. Color seems to be "a natural" in costume stories.

"LITTLE ORVIE," the Booth Tarkington novel, dealing with a shy eight-year-old boy who, upon meeting his little cousin for the first time, becomes a noisy hoodlum so as to attract the attention his cousin had been attracting. An enmity between the two is the result. The little boy wanted a dog, but his parents would not allow him to have one. In the end, the boy finds himself with three dogs. He now gets all the attention.

Comment: Booth Tarkington is noted for his human interest stories about little boys and dogs. As a written story, this one, too, is good, but as picture material is only fair; it is the kind that will appeal mostly to little children.

Forecast: It should turn out a fairly good comedy, suitable for a double bill.

"NURSE EDITH CAVELL," with Anna Neagle, the well known English star, to be supported by Edna May Oliver, May Robson, Zasu Pitts, H. B. Warner, Halliwell Hobbs and others, to be produced and directed by Herbert Wilcox, from a screen play by Michael Hogan. It is the story of Edith Cavell, the famous English nurse, who was working in Belgium when the World War broke out. Employing her knowledge of the country, she helped many an Allied prisoner to escape. She is eventually caught and, after a court-martial, is condemned and sentenced to be shot. The intervention of Whitlock, American Minister to Belgium, is impotent to induce the German military to stay the execution; Nurse Cavell dies a heroine's death.

Comment: The story of Nurse Cavell was produced once before, in 1918, by Select Pictures Corporation; it turned out a good picture, and took well at the box office. The present story is far more powerful; it has action, suspense, and deep pathos. One follows the fate of the noble woman with great interest, and when she is sentenced by the military to be shot at sunrise one feels the loss as personal.

Forecast: Mr. Wilcox, the English director, has pro-

duced so many big pictures that he is well-suited to produce and direct a subject of this magnitude. Consequently, "Nurse Cavell" should turn out an excellent picture in quality, and since the subject is of universal appeal, particularly at this time, it should do equally well at the box office.

"PARTS UNKNOWN," the Frances Parkinson Keys novel, dealing with a hero who joins the U. S. Consular service, induces the girl he loves to marry him and follow him to Bolivia, where he had been appointed as Vice-Consul. There the heroine becomes ill, and loses her child. He is transferred to Canton, China, and that place is just like an exile to them. His father is killed by Cantonese who had revolted and then he sends his wife and children aboard a U. S. Gunboat. After the fray is over he returns to the United States on vacation, taking his wife along. When an opportunity presents itself to him to go in business, he quits the Consular service, and his wife, considering him a deserter, leaves him.

Comment: Career men in the United States Consular Service will certainly feel grateful towards RKO for making a picture out of this novel, for it lays bare the troubles and tribulations they go through in the exercises of their duty, and shows how meagerly they are paid. There is considerable human interest in the story, but the incident of the heroine's leaving the hero in the end will not prove pleasurable to the average picture-goer, who wants a happy ending.

Forecast: It is program material, and if the ending should be altered it should make a fairly good picture, suitable for a double bill, unless a popular player is given the hero's part.

"RENO," an original story by Ellis St. Joseph, to be produced by Robert F. Sisk, with Richard Dix in the hero's part. It is the story of a young and ambitious lawyer, who, having failed to make a fortune in Goldfield, drifts into Reno, a booming town because of the Gold Rush in other parts of Nevada. Soon the gold-rush dies down and Reno begins to decline. It is then that the hero conceives the idea of making Reno a divorce center. His scheme succeeds and he becomes famous as a Divorce King lawyer. But at the same time he incurs the enmity of another lawyer, whose stenographer the hero had married. Determined to ruin him, the enemy lawyer brings charges against him for unethical practices, and, being heart-broken because he had learned that his wife was in love with someone else, he refuses to defend himself and is disbarred. His wife goes to the man she loved. Twenty years later he returns to Reno and, under an alias, starts a gambling place. Soon one of his clients is his own daughter, who was seeking a divorce from her husband, even though she loved him, and even though she was broke. The hero gives her a job as a hat-check girl. From her he learns that his wife had died of a broken heart because of her mistake in divorcing him. Before his daughter's decree becomes final, he sends for her husband and learns that the cause of estrangement was another woman, who was blackmailing him. He thwarts the blackmailer, but in so doing he is arrested by the police. The testimony of his daughter, however, vindicates him, not only in this but also in the disbarment case.

Comment: This is fine dramatic material, with action and human interest. It is material for a better than program picture.

Forecast: With care, this story should make a powerfully dramatic picture. As far as its box-office results are concerned, these should depend on Richard Dix's drawing powers. But a good production should help much.

"SWISS FAMILY ROBINSON," from the well known old novel by Jean R. Wyss, to be produced by Gene Towne and Graham Baker,—an adventure melodrama, dealing with a Swiss family consisting of father, mother and four sons, the lone survivors of a wrecked ship, who find themselves on an uninhabited coast in the tropics. The story revolves mostly around their efforts to make an existence. After ten years of life on that place, they find another castaway, an English woman. They take her to their home and soon the eldest son falls in love with her. A ship looking for her eventually finds them. She and some of the children return to civilization but the parents and two of the sons remain, to build a New Switzerland.

Comment: The material is not such as to make an outstanding production. The efforts of the family to make a home and to find means of making a living is only of mild interest.

Forecast: The picture should turn out fairly good to good, with the box-office results depending partly on the fame of the book and partly on the players whom the producers will assign in the different roles.

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Vol. XXI

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9012 Clouds Over Europe—Olivier-Hobson June 20
9032 Parents on Trial—Parker-Downs June 29
9005 Good Girls Go To Paris—Blondell June 30
9025 A Woman Is the Judge—Hudson-Kruger ... July 10
9208 The Man From Sundown—Starrett (59m.) .. July 15
9010 Blondie Takes a Vacation—Singleton July 20
Behind Prison Gates (Escape From
Alcatraz)—Donlevy-Wells July 28
Coast Guard—Scott-Dee Aug. 4
Man They Could Not Hang—Karloff Aug. 17
Five Little Peppers and How They Grew—
Edith Fellows Aug. 22
9209 Riders of Black River—Starrett Aug. 23
Konga, the Wild Stallion—Fred Stone Aug. 30
Golden Boy—Stanwyck-Menjou Aug. 31

First National Features

(321 W. 44th St., New York, N. Y.)

374 Code of the Secret Service—Reagan May 27
375 The Man Who Dared—Bryan-Grapewin June 3
363 The Kid From Kokomo—O'Brien-Morris June 24
360 Daughters Courageous—Garfield-Lane July 22
366 The Cowboy Quarterback—Wheeler-Wilson .. July 29
356 Each Dawn I Die—Cagney-Raft-Bryan Aug. 19
367 Angels Wash Their Faces—Sheridan Aug. 26
376 The Hobby Family—Rich-O'Neill-Moran ... Aug. 26
(End of 1938-39 Season)

Grand National Features

(50 Rockefeller Plaza, New York, N. Y.)

W1-3 The Singing Cowgirl—D. Page (57m.) May 31
Children of the Wild—Valerie-Bush Not set

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

929 The Kid From Texas—O'Keefe-Rice Apr. 14
934 The Hardys Ride High—Stone-Rooney Apr. 21
932 Calling Dr. Kildare—L. Barrymore-Ayres.... Apr. 28
933 Lucky Night—Taylor-Loy May 5
935 Tell No Tales—Douglas-Platt May 12
936 It's a Wonderful World—Colbert-Stewart ... May 19
937 Bridal Suite—Young-Annabella May 26
No release for June 6
938 6,000 Enemies—Pidgeon-Johnson June 9
939 Tarzan Finds a Son—Weissmuller-O'Sullivan... June 16
940 Maisie—Sothorn-Young-Hunter June 23
941 Stronger Than Desire—Bruce-Pidgeon June 30
942 On Borrowed Time—L. Barrymore July 7
643 Rose Marie—Reissue July 7
943 They All Come Out—Johnson-Neal July 14
944 Andy Hardy Gets Spring Fever—Rooney July 21
945 Goodbye, Mr. Chips—Robert Donat July 28
946 Miracles for Sale—R. Young-Rice (reset) ... Aug. 4
947 Lady of the Tropics—Taylor-LaMarr Aug. 11
948 These Glamour Girls—Ayres-Turner-Brown... Aug. 18
949 The Wizard of Oz—Garland-F. Morgan Aug. 25

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(1270 Sixth Ave., New York, N. Y.)

- 3823 Should a Girl Marry?—Nagel-Hull June 10
3814 Stunt Pilot—John Trent July 1
3865 Man From Texas—Ritter (60m.) July 21
3807 Mr. Wong in Chinatown—Karloff Aug. 1
3825 Girl From Rio—Movita-Hull (62m.) Aug. 7
3866 Riders of the Frontier—Ritter Aug. 9
3826 Irish Luck—Frankie Darro Aug. 22
3856 Oklahoma Terror—Randall Aug. 25
3815 Sky Patrol—John Trent Sept. 9
3816 Wings Over the Andes—John Trent Sept. 18
3803 Murder in the Big House—Bickford Sept. 20
3808 Mr. Wong at Headquarters—Karloff Sept. 25
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(End of 1938-39 Season)

Paramount Features

(1501 Broadway, New York, N. Y.)

- 3836 Hotel Imperial—Miranda-Milland May 12
3837 Some Like It Hot—Hope-Ross-Krupa May 19
3838 Unmarried—Jones-Twelvevrees May 26
3864 Stolen Life—Bergner-Redgrave May 26
3839 Gracie Allen Murder Case—Allen-William June 2
3840 Undercover Doctor—Nolan-Naish-Logan June 9
3841 Invitation to Happiness—Dunne-MacMurray June 16
3842 Grand Jury Secrets—Howard-Frawley June 23
3843 Heritage of the Desert—Woods-Barrat
(78 min.) June 23
3844 Bulldog Drummond's Bride—Howard-Angel June 30
3845 Man About Town—Benny-Lamour-Arnold July 7
3846 Million Dollar Legs—Grable-Hartley July 14
3847 The Magnificent Fraud—Tamiroff-Nolan July 21
3848 Island of Lost Men—Wong-Naish July 28
3849 Night Work—Boland-Ruggles Aug. 4
3850 Our Leading Citizen—Burns-Hayward Aug. 11
3859 Renegade Trail—William Boyd (57m.) Aug. 18
3865 This Man Is News—Barnes-Hobson Aug. 18
3851 The Star Maker—Crosby-Campbell Aug. 25

(End of 1938-39 Season)

Beginning of 1939-40 Season

- Death of a Champion—Overman-Dale Sept. 1
World on Parade—Henry-Barrett Sept. 8
Beau Geste—Cooper-Milland-Hayward Sept. 15
\$1,000 a Touchdown—Joe E. Brown-Ray Sept. 22

Republic Features

(1776 Broadway, New York, N. Y.)

- 814 Mickey the Kid—Ryan-Cabot-Pitts July 3
815 She Married a Cop—Parker-Regan July 12
816 Should Husbands Work?—James Gleason July 26
846 Colorado Sunset—Autry (64m.) July 31

(more to come)

RKO Features

(1270 Sixth Ave., New York, N. Y.)

- 925 Panama Lady—Ball-Lane May 12
984 Racketeers of the Range—George O'Brien May 26
928 The Girl From Mexico—Velez-Wood June 2
926 The Girl and the Gambler—Duna-Carrillo June 16
927 Five Came Back—Morris-Ball-Barrie June 23
985 Timber Stampede—George O'Brien June 30
929 The Saint in London—Sanders-Gray June 30
930 Career—Shirley-Ellis-Archer July 7
947 Way Down South—Breen-Mowbray-Blane July 21
931 The Spellbinder—L. Tracy-B. Read July 28
932 Bachelor Mother—Rogers-Niven-Coburn Aug. 4
933 The Bad Lands—Barrat-Richards Aug. 11
936 In Name Only—Lombard-Grant-Francis Aug. 18
986 The Fighting Gringo—George O'Brien Aug. 25

Twentieth Century-Fox Features

(444 W. 56th St., New York, N. Y.)

- 950 It Could Happen to You—Erwin-Stuart June 30
952 Mr. Moto Takes a Vacation—Lorre July 7
949 Second Fiddle—Henie-Power-Vallee July 14
953 News Is Made at Night—Foster-Bari July 21
8014 The Ware Case—Clive Brook July 21
951 Frontier Marshal—Scott-Barnes-Romero July 28

(End of 1938-39 Season)

Beginning of 1939-40 Season

- 001 Elsa Maxwell's Hotel for Women—Darnell Aug. 4
002 Chicken Wagon Family—Withers-Carrillo Aug. 11
003 Stanley and Livingstone—Tracy-Kelly Aug. 18
004 The Jones Family in Quick Millions—Prouty Aug. 25
005 The Adventures of Sherlock Holmes—
Rathbone-Bruce-Lupino Sept. 1
006 Charlie Chan at Treasure Island—Toler Sept. 8
006 Hollywood Cavalcade—Faye-Ameche-Erwin Sept. 15
008 Stop, Look and Love—Rogers-Frawley Sept. 22
009 Here I am a Stranger—Greene-Kelly Sept. 29

United Artists Features

(729 Seventh Ave., New York, N. Y.)

- Captain Fury—Aherne-McLaglen-Lang May 26
The Hurricane—Reissue June 2
A Star Is Born—Reissue June 2
Elephant Boy—Reissue June 2

(End of 1938-39 Season)

Beginning of 1939-40 Season

- Winter Carnival—Sheridan-Carlson July 28
Four Feathers—Richardson-Smith Aug. 4
Man in the Iron Mask—Hayward-J. Bennett Aug. 11
They Shall Have Music—McCrea-Heifetz-Leeds Aug. 18

Universal Features

(1250 Sixth Ave., New York, N. Y.)

- A3019 Code of the Streets—Carey Apr. 14
A3018 Big Town Czar—MacLane-Brown-Arden Apr. 21
A3030 For Love or Money—Lang-Kent Apr. 28
A3010 Ex-Champ—McLaglen-Brown May 19
A3040 They Asked for It—Whalen-Hodges May 26
A3039 Inside Information—Lang-Foran June 2
A3009 The Sun Never Sets—Fairbanks, Jr. June 9
A3038 House of Fear—Gargan-Hervy June 30
A3031 The Forgotten Woman—Gurie-Briggs July 7
Unexpected Father—Auer-O'Keefe (re.) July 14
I Stole a Million—Raft-Trevor (re.) July 21
When Tomorrow Comes—Dunne-Boyer Aug. 11
First Love—Durbin-Palette Aug. 25

(End of 1938-39 Season)

Beginning of 1939-40 Season

- Mutiny on the Black Hawk—Arlen-Devine Sept. 1
The Underpup—Cummings-Grey Sept. 1
Bad Company—Cooper-Bartholomew Sept. 8
Desperate Trails—Brown-Baker Sept. 8
Hawaiian Nights—Downs-Carlisle Sept. 15
Rio—Gurie-Rathbone Sept. 22
(0904 "The Mikado" is being given special releases although the general release date has not yet been set)

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

- 322 Torchy Runs for Mayor—Farrell May 13
301 Juarez—Muni-Davis-Aherne-Rains June 10
324 Nancy Drew, Trouble Shooter—Granville June 17
311 Naughty But Nice—Sheridan-D. Powell July 1
312 Hell's Kitchen—"Dead End" Kids-Lindsay July 8
325 Waterfront—Dickson-Morgan July 15
315 Indianapolis Speedway—Sheridan-O'Brien Aug. 5
326 Playing with Dynamite—Wyman-Jenkins Aug. 12

SHORT SUBJECT RELEASE SCHEDULE

Columbia—One Reel

9805	Navy Champions—Sport Thrills (9½m.)	Mar. 17
9657	Community Sing No. 7—(10½m.)	Mar. 24
9508	Happy Tots—Color Rhapsody (6½m.)	Mar. 31
9705	Golf Chumps—Krazy Kat (6½m.)	Apr. 6
9858	Screen Snapshots No. 8—(9½m.)	Apr. 8
9509	The House That Jack Built—Col. Rh. (7m.)	Apr. 14
9806	Diving Rhythm—Sport Thrills (9½m.)	Apr. 21
9658	Community Sing No. 8—(10½m.)	Apr. 21
9755	A Worm's Eye View—Scrappys (7m.)	Apr. 28
9903	Washington Parade—Issue #3 (10m.)	May 12
9706	Krazy's Shoe Shop—Krazy Kat (6m.)	May 12
9859	Screen Snapshots No. 9—(9½m.)	May 12
9659	Community Sing No. 9—(10½m.)	May 19
9963	Yankee Doodle Home—Vanities (10m.)	May 19
9860	Screen Snapshots No. 10—(10m.)	May 26
9510	Lucky Pigs—Color Rhapsody (7m.)	May 26
9554	Man Made Island—Tours (9½m.)	May 26
9756	Scrappy's Rodeo—Scrappys (6m.)	June 2
9807	Jockeys Up—Sport Thrills (10½m.)	June 2
9861	Screen Snapshots No. 11—(9½m.)	June 15
9660	Community Sing No. 10—(10m.)	June 16
9511	Nell's Yells—Color Rhapsody (7m.)	June 30
9964	Montmartre Madness—Vanities (10½m.)	June 30
9808	Technique of Tennis—Sport Thrills (9m.)	June 30
9555	Sojourn in India—Tours (9½m.)	July 7
9809	There Goes Rusty—Sport Thrills (10½m.)	July 15
9512	Hollywood Sweepstakes—Col. Rhap. (8m.)	July 28
9862	Screen Snapshots No. 12—(10m.)	July 28
9904	Washington Parade—Issue #4	Aug. 4

Columbia—Two Reels

9149	Terror Rides the Rails—Mandr. #9 (13m.)	July 1
9150	The Unseen Monster—Mandr. #10 (16½m.)	July 8
9436	Rattling Romeo—All Star (17m.)	July 14
9151	At the Stroke of Eight—Mandrake #11 (18½m.)	July 15
9161	Doomed Men—Overland with Kit Karson No. 1	July 21
9152	The Reward of Treachery—Mandrake #12 (19m.)	July 22
9437	Trouble Finds Andy Clyde—All Star (18m.)	July 28
9162	Condemned to Die—Overland No. 2	July 28
9163	Fight for Life—Overland No. 3	Aug. 4
9164	The Ride of Terror—Overland No. 4	Aug. 11
9165	The Path of Doom—Overland No. 5	Aug. 18
9166	Rendezvous with Death—Overland No. 6	Aug. 25
9167	The Killer Stallion—Overland No. 7	Sept. 1

Metro-Goldwyn-Mayer—One Reel

W-887	The Bear That Couldn't Sleep—Cartoons (Technicolor) (9m.)	June 10
F-958	How to Eat—Benchley (10m.)	June 10
S-909	Poetry of Nature—Pete Smith (8m.)	June 17
K-926	Yankee Doodle Goes to Town—Passing Parade (11m.)	June 17
K-927	Giant of Norway—Passing Parade (11m.)	June 24
C-940	Joy Scouts—Our Gang (10m.)	June 24
S-910	Culinary Carving—Pete Smith (9m.)	July 1
C-941	Dog Daze—Our Gang (11m.)	July 1
W-888	Goldilocks and the 3 Bears—Cart. (11m.)	July 15
C-942	Auto Antics—Our Gang (10m.)	July 22
K-928	Story That Couldn't Be Printed—Passing Parade (11m.)	July 22
S-911	Take a Cue—Pete Smith	Aug. 12

Metro-Goldwyn-Mayer—Two Reels

P-814	Help Wanted—Crime Doesn't Pay (21m.)	June 10
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Paramount—One Reel

J8-5	Popular Science #5—(10m.)	May 12
V8-10	Swans—Paragraphic (9m.)	May 19
E8-8	Wotta Nitemare—Popeye (7m.)	May 19
K8-6	Jamaica—Color Cruises (9m.)	May 26
A8-11	Tempo of Tomorrow—Headliner (10m.)	June 2
P8-11	Paramount Pictorial #11—(10m.)	June 2
R8-12	Death Valley Thrills—Sportlight (9m.)	June 9
T8-9	The Sacred Crows—Betty Boop (6m.)	June 9
E8-9	Ghosks Is the Bunk—Popeye (6½m.)	June 16
L8-6	Unusual Occupations #6—(9½m.)	June 16
V8-11	Farewell, Vienna—Paragraphic (9½m.)	June 23
C8-5	The Barnyard Brat—Color Classic (6m.)	June 30
R9-13	Watch Your Step—Sportlight (9m.)	July 7
T8-10	Rhythm on the Reservation—Boop (6m.)	July 7
P8-12	Paramount Pictorial #12—(9m.) (re.)	July 14
E8-10	Hello, How Am I?—Popeye (5½m.)	July 14
K8-7	Colombia (Rio De Janeiro)—Color Cruise	July 21
E8-11	It's the Natural Thing to Do—Popeye (6½m.)	July 28
J8-6	Popular Science #6—(10m.) (re.)	Aug. 4
T8-11	Yip Yip Yippy—Betty Boop (6m.)	Aug. 11
A8-12	Sweet Moments—Headliner (10m.) (re.)	Aug. 11
V8-12	Not Yet Titled—Paragraphic	Aug. 25

(End of 1938-39 Season)

RKO—One Reel

94113	Donald's Cousin Gus—Disney (7m.)	May 19
94610	Swinguet—Reelism (8m.)	May 26
94114	Beach Picnic—Disney (8m.)	June 9
94311	Devil Drivers—Sportscope (9m.)	June 16
94511	World of Tomorrow—Reelism (9m.)	June 23
94115	Sea Scouts—Disney (8m.)	June 30
94312	Riding the Crest—Sportscope (9m.)	July 14
94116	The Pointer—Disney (8m.)	July 21
94512	Zoo—Reelism (9m.)	July 21
94118	Donald's Penguin—Disney (8m.)	Aug. 11
94313	Kennel Kings—Sportscope (9m.)	Aug. 11
94613	Not Yet Titled—Reelism	Aug. 18
94118	The Autograph Hound—Disney	Sept. 1

(End of 1938-39 Season)

RKO—Two Reels

93110	March of Time—(19m.)	May 12
93405	Baby Daze—E. Kennedy (15m.)	May 19
93111	March of Time—(19m.)	June 9
93504	Sagebrush Serenade—Whitley (19m.)	June 16
93706	Ring Madness—Leon Errol (19m.)	June 30
93112	March of Time—(22m.)	July 7
93406	Feathered Pests—E. Kennedy (16m.)	July 14
93604	Sales Slips—Headliner (17m.)	July 21
93801	Five Times Five—Quintuplets (19m.)	July 21
93204	Marriage Go Round—Radio Flash (18m.)	July 28
93113	March of Time	Aug. 4

(End of 1938-39 Season)

Twentieth Century-Fox—One Reel

9604	Fashion Forecast No. 4—(10m.)	July 7
9517	Barnyard Baseball—Terry-Toon (7m.)	July 14
9306	Youth in the Saddle—Sports (10m.)	July 21
9518	The Old Fire Horse—Terry-Toon (7m.)	July 28

(End of 1938-39 Season)

Beginning of 1939-40 Season

0101	Birthplace of Icebergs—Thomas (11m.)	Aug. 4
0551	Two Headed Giant—Terry-Toon (7m.)	Aug. 11
0201	Conquering the Colorado—Adv. News Cameraman (11m.)	Aug. 18
0501	The Golden West—Terry-Toon (7m.)	Aug. 25
0301	Big Game Fishing—Sports	Sept. 1
0552	Hook, Line and Sink—Terry-Toon	Sept. 8
0601	Fashion Forecasts No. 1	Sept. 15
0502	Sheep in the Meadow—Terry-Toon	Sept. 22

Universal—One Reel

A3375 Stranger Than Fiction #64—(9½m.) July 3
 A3258 Stubbhorn Mule—Lantz cart. (7m.) July 3
 A3363 Going Places with Thomas #65—(9m.) ... July 17
 A3259 Arabs with Dirty Fezzes—Lantz (7m.) ... July 31
 A3376 Stranger Than Fiction #65—(9m.) Aug. 7
 A3260 Snuffy's Party—Lantz cartoon Aug. 7
 A3261 Slap Happy Valley—Lantz cartoon Aug. 21
 A3262 Silly Superstition—Lantz cartoon Aug. 28

(End of 1938-39 Season)

Universal—Two Reels

Beginning of 1939-40 Season

4110 The March of Freedom—Special (20m.) June 7
 4581 The Renegade's Revenge—Oregon Trail #1
 (21 min.) July 4
 4582 The Flaming Forest—Oregon #2 (21m.) July 11
 4583 The Brink of Disaster—Oregon #3 (21m.) July 18
 4584 Thundering Doom—Oregon #4 (20m.) July 25
 4585 Menacing Herd—Oregon #5 (19m.) Aug. 1
 4586 Indian Vengeance—Oregon #6 (20m.) Aug. 8
 With Best Dishes—Mentone (17m.) Aug. 9
 4587 Trail of Treachery—Oregon #7 (20m.) Aug. 15
 4588 Redskin's Revenge—Oregon #8 (18m.) Aug. 22
 4589 Avalanche of Doom—Oregon #9 (18m.) Aug. 29
 4590 The Plunge of Peril—Oregon #10 (20m.) ... Sept. 5
 Boy Meets Joy—Tomlin-Hodges Sept. 6

Vitaphone—One Reel

4711 Dave Apollon & Orch.—Mel. Mast. (10m.) .. Apr. 8
 4909 The Crawford's "At Home"—Varieties
 (11 min.) Apr. 15
 4811 Porky and Teabiscuit—L. Tunes (7½m.) ... Apr. 22
 4516 Daffy Duck & Dinosaur—Mer. Mel. (8m.) ... Apr. 22
 4609 Mechanix Illustrated #4—(10m.) Apr. 22
 4713 Artie Shaw & Orch.—Mel. Mast. (10m.) Apr. 29
 4309 Voodoo Fire—True Adventures (12m.) May 6
 4517 Thugs With Dirty Mugs—Mer. Mel. (8m.) ... May 6
 4812 Kristopher Columbus, Jr.—L. Tunes (7m.) .. May 13
 4610 For Your Convenience—Col. Par. (9m.) May 20
 4714 Larry Clinton & Orch.—Mel. Mast. (9m.) ... May 20
 4519 Naughty But Mice—Mer. Mel. (8m.) May 20
 4910 Dean of the Pasteboards—Var. (10m.) May 27
 4310 Haunted House—True Adventures (11m.) .. June 3
 4520 Believe It Or Else—Mer. Mel. (9m.) June 3
 4813 Polar Pals—Looney Tunes (6½m.) June 3
 4715 Leith Stevens and Orch.—Mel. Mast. (10m.) .. June 10
 4612 Mechnix Illustrated #5—(9m.) June 10
 4518 Hobo Gadget Band—Mer. Mel. (7m.) (re.) .. June 17
 4814 Scalp Trouble—Looney Tunes (7m.) June 24
 4908 The Right Way—Varieties (9m.) July 1
 4716 Rita Rio and Orch.—Mel. Mast. (10m.) July 1
 4311 Lives in Peril—True Adventures (11m.) July 1
 4521 Old Glory—Mer. Melodies (10m.) July 1
 4511 Modern Methods—Color Parade (9m.) July 15
 4522 Dangerous Dan McFoo—Mer. Mel. (8m.) ... July 15
 4815 Porky's Picnic—Looney Tunes (7m.) July 15
 4717 Will Osborne and Orch.—Mel. Mast. (10m.) .. July 22
 4911 Witness Trouble-Grouch Club—Var. (9m.) ... July 29
 4523 Snow Man's Land—Mer. Mel. (7m.) July 29
 4312 Three Minute Fuse—True Adv. (11m.) July 29
 4613 Mechanix Illustrated #6 Aug. 5
 4816 Wise Quack—Looney Tunes (7m.) Aug. 5
 4524 Harum Scarum—Mer. Mel. (7m.) Aug. 12
 4718 Eddie DeLange & Orch.—Mel. Mast. (9m.) ... Aug. 12
 4404 Romance in Color—Technicolor Spec. Aug. 19
 4912 One Day Stand—Varieties (9m.) Aug. 19
 4313 Verge of Disaster—True Adv. (7m.) Aug. 26
 4525 Detouring America—Mer. Mel. (8m.) Aug. 26
 4526 Little Brother Rat—Mer. Mel. Sept. 2

Vitaphone—Two Reels

4027 You're Next to Closing—Brev. (18m.) May 13
 4028 Broadway Buckaroo—Bway. Brev. (18m.) .. June 3
 4029 Wardrobe Girl—Bway. Brev. (19m.) June 17
 4006 Quiet Please—Technicolor Prod. (18m.) July 1
 4030 A Swing Opera—Bway. Brev. (18m.) July 22
 4007 Bill of Rights—Tech. Prod. (17m.) Aug. 12
 4018 Spare Parts—Bway. Brev. Aug. 26
 4008 Ride, Ranger, Ride—Tech. Production Sept. 9
 (End of 1938-39 Season)

NEWSWEEKLY NEW YORK RELEASE DATES Universal

795 Wednesday .. Aug. 9
 796 Saturday Aug. 12
 797 Wednesday .. Aug. 16
 798 Saturday Aug. 19
 799 Wednesday .. Aug. 23
 800 Saturday Aug. 26
 801 Wednesday .. Aug. 30
 802 Saturday Sept. 2
 803 Wednesday .. Sept. 6
 804 Saturday Sept. 9
 805 Wednesday .. Sept. 13
 806 Saturday Sept. 16

Fox Movietone

95 Wednesday ... Aug. 9
 96 Saturday Aug. 12
 97 Wednesday ... Aug. 16
 98 Saturday Aug. 19
 99 Wednesday ... Aug. 23
 100 Saturday Aug. 26
 101 Wednesday .. Aug. 30
 102 Saturday Sept. 2
 103 Wednesday .. Sept. 6
 104 Saturday Sept. 9
 (End of 1938-39 Season)

1939-40 Season

1 Wednesday ... Sept. 13
 2 Saturday Sept. 16

Paramount News

(There has been a change in the release. Instead of 104 issues, there will be 112 for the 1938-39 Season)
 104 Wednesday .. Aug. 2
 105 Saturday Aug. 5
 106 Wednesday .. Aug. 9
 107 Saturday Aug. 12
 108 Wednesday .. Aug. 16
 109 Saturday Aug. 19
 110 Wednesday .. Aug. 23
 111 Saturday Aug. 26
 112 Wednesday .. Aug. 30
 (End of 1938-39 Season)

1939-40 Season

1 Saturday Sept. 2
 2 Wednesday ... Sept. 6
 3 Saturday Sept. 9
 4 Wednesday ... Sept. 13
 5 Saturday Sept. 16

Metrotone News

293 Wednesday .. Aug. 9
 294 Saturday Aug. 12
 295 Wednesday .. Aug. 16
 296 Saturday Aug. 19
 297 Wednesday .. Aug. 23
 298 Saturday Aug. 26
 299 Wednesday .. Aug. 30
 301 Saturday Sept. 2
 302 Wednesday .. Sept. 6
 303 Saturday Sept. 9
 (End of 1938-39 Season)

1939-40 Season

200 Wednesday .. Sept. 13
 201 Saturday Sept. 16

Pathe News

05206 Wed. (E.) .. Aug. 9
 05107 Sat. (O.) .. Aug. 12
 05208 Wed. (E.) .. Aug. 16
 05109 Sat. (O.) .. Aug. 19
 05210 Wed. (E.) .. Aug. 23
 05111 Sat. (O.) .. Aug. 26
 05212 Wed. (E.) .. Aug. 30
 05113 Sat. (O.) .. Sept. 2
 05214 Wed. (E.) .. Sept. 6
 05115 Sat. (O.) .. Sept. 9
 05216 Wed. (E.) .. Sept. 13
 05117 Sat. (O.) .. Sept. 16

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Vol. XXI

SATURDAY, AUGUST 19, 1939

No. 33

A CORRECTION WITH AN APOLOGY TO W. F. RODGERS

In commenting upon the final installment of Mr. W. F. Rodgers' statement in the August 5 issue of this publication, I said also the following:

"It seems to me as if the tone of the statement is an accusation that Allied ran out on the Code. In his Minneapolis speech, Bill Rodgers, if my memory serves me right, made an unfortunate reference to 'paid agitators,' meaning naturally that, if it were not for these agitators among the Allied leaders, the Code would be accepted by the members."

In the paragraph that followed, I expressed the opinion that it was Mr. Abram F. Myers, Allied general counsel, whom Mr. Rodgers had in mind as one of the "paid agitators."

Mr. Rodgers now informs me that the expression he employed was, not "paid agitators," but "professional agitators."

The error was the result of my looking up the facts surrounding Mr. Myers' activities in the 2-2-2 as well as the 5-5-5 conferences. In the December 24, 1932, issue of HARRISON'S REPORTS, I found a reproduction of a statement issued by M.P.T.O.A., but actually written, as I proved in my comment on it, by some one connected with the Hays association. The following is part of that statement:

"What is the result of all this manoeuvring and strategy by Allied? For six years their *paid* organizers have continuously sponsored and campaigned for the Brookhart-Myers Bills. . . . It has been profitable to them. By falling back on their six-year plan for another six years, *it may continue to be profitable.*" (Italics in the original.)

That is only one part where the unnamed Allied leaders have been dubbed "paid organizers"; there have been so many times that they have been called that as well as "paid agitators," that it was not unnatural for me to have remembered from so distant a time the word "paid" instead of the word "professional."

But Mr. Rodgers did not employ the word "paid"; he employed the word "professional." And for my error, I offer him my sincere apologies.

The substitution of the word "professional" for "paid," however, does not necessitate an alteration in the context of that editorial, for what I endeavored to prove was, not whether Mr. Myers is or is not paid for whatever services he renders to Allied, but that he has not been aiming to prevent industry peace.

I may add that the exhibitors have as much right to engage an attorney to advise the officers of their organization as have the producers. The producers engaged Mr. Will H. Hays, a cabinet officer and a lawyer, to advise them; Allied engaged Mr. Myers. Mr. Hays has done his work conscientiously for those who have employed him; Mr. Myers has done his work for the exhibitors as conscientiously, if we are to judge by the esteem in which he is still held by them. It is my belief, therefore, that, if any fault were to be found with any one in Allied for the results of the recent trade practice conferences, it should be found with the entire membership, or at least with the board of directors, and not with Mr. Myers alone.

TAKE THE "SMASH BOX-OFFICE HITS" REPORTS WITH A GRAIN OF SALT

This paper expresses no less joy than is expressed by distributors when one of their pictures makes a great box-office hit, and they herald the fact through the trade papers with blazing headlines; what it finds fault with is when some other factor is the box-office magnet and the distributors attribute the "unprecedented" business to the virtues of the feature picture.

It is a well known fact, at least in this territory, that, whenever the distributors feel that they have a "dud," they invariably pair it either with some well known screen star, or with a popular band. The box-office bulge is owed, therefore, to a large extent to the drawing powers of the side attraction.

Whenever you read in the trade papers that such-and-such a picture has "smashed" the box office of the New York theatre where it has played, make sure to find out what was the side attraction; very often you will be surprised.

AN EXHIBITOR DRIVE FOR NATE BLUMBERG OF UNIVERSAL

It is no longer news when a film company conducts a drive in honor of one of its executives—such drives are held with clock-like regularity, but it is decidedly news when exhibitors start a drive for the executive of a film company, for up to this time such a drive has not taken place.

Several prominent exhibitors, independent as well as affiliated, are conducting a drive for Nate Blumberg, president of Universal. And the drive is conducted with zeal, if one is to judge by the results the Universal Home Office has received, as Mr. Matthew Fox, assistant to Mr. Blumberg, announced to a group of trade paper men at a luncheon on Tuesday last week.

Nate Blumberg became president of Universal about one and one-half years ago, and during this time he has been able, not only to save the company from extinction, but also to show a profit. There was a time when it was doubtful whether he could save the company, but his personality inspired so much confidence that not only bankers, but even exhibitors, came to his rescue, by advancing him money with which to carry on production.

Universal, not only has weathered the storm because of the hard work of Nate Blumberg and of those with whom he has surrounded himself, but is well on the way to occupying front rank among the major companies. Matthew Fox announced that, by September 1, there will be fourteen pictures ready for release, some of them of big caliber. This should be good news for every exhibitor.

It is to show their appreciation and to encourage him to continue forging forward that the exhibitors have undertaken to conduct this drive for him.

HARRISON'S REPORTS hopes that the drive will be successful.

TRUST ACTION AGAINST MORE INDEPENDENT THEATRE CHAINS

You have undoubtedly read of the additional two suits that the Department of Justice has started against the Schine Circuit, with headquarters at Gloversville, New York State, and of the Crescent Circuit, with headquarters in Memphis, Tennessee, making the major companies co-defendants.

Evidently the U. S. Government is bent upon freeing the industry from such practices as put the circuits, independent as well as affiliated, in a privileged position.

If the Government continues the policy, HARRISON'S REPORTS sees coming the day when pictures will be sold to the highest bidder instead of to those who own large numbers of theatres first, compelling the subsequent run theatres to wait until the films have been milked dry. When that day comes it will be ability that will count and not buying power.

"Mr. Wong in Chinatown" with Boris Karloff

(Monogram, August 1; time, 70 min.)

This is the best of the three pictures thus far produced in the "Mr. Wong" series. It has fast action, some comedy touches, and a mystifying plot, all of which result in good program entertainment, with mass appeal. One is held in suspense because of the constant danger to Boris Karloff, the detective, who solves the murders after many exciting experiences. The romance between the police inspector (Grant Withers) and the newspaper reporter (Marjorie Reynolds) is continued:—

A Chinese princess, who had called on Karloff for an interview, is killed by a poisoned dart blown through the window before Karloff could talk to her. He calls for the police inspector (Withers), and together they start investigating the case. They learn that the princess had arrived in America with a large sum of money to purchase aeroplanes for the Chinese army. During their investigations, two more persons are killed. Karloff's suspicions center on three persons—the banker with whom the princess had deposited the money, the Captain, whose boat she was to use to transport the aeroplanes, and the aeroplane manufacturer. Karloff finally proves that the banker was the murderer; he had used the money to cover his shortages at the bank and then had committed the murders.

Hugh Wiley wrote the story, and Scott Darling, the screen play; William Nigh directed it, and William T. Lackey produced it. In the cast are Peter George Lynn, William Royle, Huntley Gordon, Lotus Long, and others.

The murders make it unsuitable for children. Suitable for adolescents and adults. Class B. Action fast.

"When Tomorrow Comes" with Irene Dunne and Charles Boyer

(Universal, August 11; time, 90 min.)

The story is not so strong as it should have been for a pair of popular and capable players such as are Irene Dunne and Charles Boyer, but the artistic acting of these players, coupled with Mr. Stahl's fine direction and with the realistic settings, compensate for that shortcoming. The picture should appeal well to cultured picture-goers, but because of the good title, and of the fact that this picture follows "Love Affair" with the same leading players, which pleased so much those who saw it, it should draw big crowds. Part of the background is a hurricane; it is so realistic that one is held almost breathless. One is in sympathy with the heroine, who becomes involved in a love affair that brings the hero, as well as her, unhappiness:—

Irene Dunne, a waitress, becomes acquainted with Charles Boyer, a customer, who wins her attention by his gentlemanly manners. He follows her to a meeting hall, where the waitresses had gathered to vote on a strike; her poise and intelligence win his admiration. After the meeting, they walk and talk, and arrange to meet the next day. He takes her for a sail, but when clouds begin to gather, they decide to go back; they arrive at his beach home just in time to avoid a downpour. She finds out that he was a famous pianist, and, although she notices pictures of a woman in the house, she asks no questions. Even though the storm had reached the proportions of a hurricane, she decides that it would be best to leave; she asks Boyer to take her home. After travelling by car for a short distance, their car is struck by a tree; they rush to a nearby building, which is a church, where they take refuge for the night. They find, on awakening the following morning, that the church was partially flooded; a rescue party takes them to the station, where Boyer finds his family. After expressing his love for Miss Dunne, he tells her he was married. When she meets his wife (Barbara O'Neill), who, since the death of her baby, was mentally unbalanced, she understands what Boyer must have suffered; she forgives him. After a dinner together, they part, Boyer leaving for Europe with his wife, and Miss Dunne continuing with her work.

James M. Cain wrote the story, and Dwight Taylor, the screen play; John M. Stahl directed and produced it. In the cast are Onslow Stevens, Nydia Westman, Fritz Feld, and Nella Walker.

Morally suitable for all. Class A. Tempo somewhat slow.

"Quick Millions" with Jed Prouty

(20th Century-Fox [1939-40], August 25; time, 61 min.)

This is just a fair addition to the "Jones Family" series. Again they are taken away from their home surroundings, this time for adventures in Arizona, where they go to examine the value of a gold mine willed to them. The first half is pretty good, providing a laugh a minute; this is due mostly to the antics of Eddie Collins, who amuses one heartily by his mannerisms. But during the second half, the action becomes quite silly and at times it is forced. It does, however, hold one in fair suspense:—

Just as Prouty returns from Hollywood with his family, he receives a telegram notifying him that the family had inherited a gold mine in Arizona; also that it was imperative for them to reach Arizona in four days so as to claim it. Without stopping to rest, they start off in their trailer, arriving in Arizona in time. The lawyer (Collins) offers to guide them to the property, where they find a ramshackle hut in which they are compelled to live. They are unaware that a dangerous criminal, who was being sought by the police, was making his headquarters at the same place, and that he was hiding in the cellar. A henchman of the gangster's, posing as a professor, pretends to examine the mine for Prouty; he informs him it is worthless. Prouty decides to sell out to George Peter Lynn, another henchman, who had offered to buy it for \$1,500. But his sons prevent him from doing so, for they believed they had discovered gold, which, it develops, was just an old watch charm. In the meantime, Prouty is passed some of the stolen money held by the gangster, which one of the gang had slipped into his pocket, taking his own money in exchange. He finally proves his innocence and is directly responsible for capturing the criminal. He receives a reward, and is happy to leave with his family for home.

Joseph Hoffman and Buster Keaton wrote the story, and Joseph Hoffman and Stanley Rauh, the screen play; Malcolm St. Clair directed it, and John Stone produced it. In the cast are Spring Byington, Ken Howell, George Ernest, June Carlson, Florence Roberts, Billy Mahan, Robert Shaw, and others.

Suitability, Class A.

"Island of Lost Men" with Anna May Wong and J. Carrol Naish

(Paramount, July 28; time, 63 min.)

This jungle melodrama is fair program entertainment. The story is not particularly novel; but it holds one's interest fairly well because of the constant danger to the heroine. The closing scenes, which show a native uprising, are the most exciting. Eric Blore supplies the comedy touch, which is a welcome relief, for most of the action is heavy. The romance is of minor importance:—

J. Carrol Naish, who made his headquarters in the jungle, rules over the natives, forcing them to do work that brought him wealth. He is assisted by a few white men who lived there not because they liked it but because it was the only means of escape from the police. Anna May Wong, a cafe entertainer, induces Naish, who was making one of his stops in town, to permit her to return to his jungle headquarters with him, pretending that the police were after her. But her real motive in going was to try to find her father, a high Chinese official, who had been kidnapped by Naish and robbed of \$300,000, the property of his government. It develops that Anthony Quinn, one of Naish's men, was really a secret service agent who, too, was looking for Miss Wong's father. Miss Wong finds the money; she steals it and hides it, without Naish finding out about it. To the jungle comes Broderick Crawford, who knew about the theft. He insists that Naish give him \$150,000 as a price for his silence. Naish tries to murder him, but fails in the attempt. Quinn finally finds Miss Wong's father and hides him in a boat; his plan was to get Miss Wong to the boat and then escape with them. Naish tries to stop them. But one of the white men, who had gained control over the natives, helps them to escape and to take the money with them. The natives rise against Naish, killing him and all the other white men.

Frank Butler and Norman R. Raine wrote the story, and William R. Lipman and Horace McCoy, the screen play; Kurt Neumann directed it; in the cast are Ernest Truex, Rudolf Forster, William Haade, and others.

Unsuitable for children. Adult fare, will pass for adolescents, too. Class B. Tempo, somewhat slow until the end.

**"The Old Maid" with Bette Davis,
Miriam Hopkins, George Brent
and Jane Bryan**

(First National [1939-40], September 2; time 95 min.)

A powerful woman's picture. A lavish production, capable performances, and intelligent direction make it a picture of distinction. The story is not cheerful; but it is one that constantly plays upon the emotions, very often bringing forth tears. In spite of the fact that there is little action, most of the story being devoted to the emotional conflict between two women from their late teens to past middle-age, discriminating persons will find the plot developments absorbing. Audiences that demand action may, however, find it a little slow-moving. The illegitimacy angle has been handled so carefully that it in no way offends one. The action starts in 1861:—

On the day of her marriage to wealthy and socially prominent James Stephenson, Miriam Hopkins receives word that her former fiance (George Brent) was returning to marry her. She induces her cousin (Bette Davis) to see Brent and break the news to him. Miss Davis, who had always loved Brent, is happy to have the opportunity of being with him. But he insists on seeing Miss Hopkins; not even his presence, however, can swerve her from her determination to marry Stephenson. Brent leaves the house in a downcast mood; Miss Davis follows him. The following day he leaves for the war, having enlisted in the Union Army; he dies in service. Miss Davis goes away for a time, no one suspecting that it was to give birth to her child and Brent's; when she returns she opens a nursery for underprivileged children, her purpose being to be able to care for her own child without anyone suspecting the truth. Miss Davis becomes engaged to Jerome Cowan, Stephenson's brother. On the day of her marriage she reveals the truth to Miss Hopkins, who is shocked. Miss Hopkins stops the wedding by telling Cowan that Miss Davis was suffering from tuberculosis. After her husband's death, Miss Hopkins induces Miss Davis to bring her child to her home, both to live there with her. As the child grows up she (Jane Bryan) gives all her love to Miss Hopkins, for Miss Davis, who did not want the girl to suspect anything, was unduly strict and harsh with her. Miss Hopkins, in order to give Miss Bryan, whom she loved dearly, a chance in life, adopts her and settles a large sum of money on her. The night before Miss Bryan's marriage to a wealthy society man, Miss Davis feels impelled to tell her the truth, but Miss Hopkins pleads with her not to do so. Following instructions from Miss Hopkins, Miss Bryan, just before leaving for her honeymoon, gives her last kiss to Miss Davis, who, for the first time, is happy.

The plot was adapted from the play by Zoe Akins and the novel by Edith Wharton; Casey Robinson wrote the screen play, Edmund Goulding directed it, and Henry Blanke produced it. In the cast are Donald Crisp, Louise Fazenda, William Lundigan, Cecilia Loftus, and others.

It has been handled discreetly enough to make it suitable for all. Class A.

**"Night Work" with Charles Ruggles
and Mary Boland**

(Paramount, August 4; time, 61 min.)

This domestic comedy is suitable program fare for neighborhood theatres. Discriminating audiences may find the story silly and the action slightly boring. Even in neighborhoods, its appeal will be directed mostly to those who enjoy comedies of the nerve-racking type; for instance, in one situation a young boy dangles at the side of a building, seated on a small scaffold seat; he falls from the seat, thereafter hanging on to the rope until he is rescued. People will be held breathless in these scenes. The situation becomes even sillier, but yet it should hold people as breathless, when Charles Ruggles is compelled to go to the boy's rescue. Sensitive persons may get a sick feeling watching this. That the story manages to have a few touching moments is due entirely to the talents of the leading players:—

Charles Ruggles and Mary Boland eagerly await the arrival of Clem Bevans, grandfather of Donald O'Connor; they needed his permission to adopt Donald. Bevans, a daring steeplejack, demands proof of Ruggles' courage, for he did not want Donald to be brought up as a sissy. Miss Boland, knowing that Ruggles was a timid soul and, fearing that they might lose Donald, makes up stories of Ruggles' courage, which Bevans believes. But Bevans

finally learns the truth, when a former school friend of Ruggles arrives and laughingly discloses the fact that Ruggles had been known as a coward; Miss Boland is compelled to admit the truth, but pleads with Bevans to allow her to keep Donald. He refuses, ordering Donald to get his things ready to leave. But Ruggles proves himself a real hero when he saves his young adopted son (Billy Lee), who was dangling from a scaffold. Bevans then gladly gives his consent to the adoption.

Monte Brice, Lloyd Corrigan, and Lewis R. Foster wrote the original screen play; George Archainbaud directed it, and William H. Wright produced it. In the cast are Joyce Mathews, John Hartley, and others.

Suitability, Class A. Tempo fairly fast.

**"The Girl from Rio" with Movita
and Warren Hull**

(Monogram, August 7; time, 62 min.)

This should go over fairly well in neighborhood theatres. Even though the story is routine and the plot developments obvious, it manages to hold one's attention to a fair degree because of the sympathy one feels for the heroine. And Movita, who plays the heroine's part, is not only attractive but sings well. The romance is mildly pleasant:—

Just when Movita was to make her singing debut in Rio, she receives a cablegram from New York informing her that her brother had been arrested and was being held on a murder charge. Helped by a friend (Warren Hull), she takes the first plane out. Upon arriving in New York, she gets in touch with the young lady who had sent her the cablegram and learns that she was married to her brother. From what Movita finds out, she realizes that her brother had been framed by the owner of the cafe in which he and his wife had worked. Hull arrives in New York, eager to help Movita obtain the information she needs to prove her brother's innocence. He obtains an engagement for Movita in the cafe owned by Clay Clement, the man responsible for her brother's imprisonment. Just when she was in a position to obtain the information, Kay Linaker, Clement's jealous girl friend, discovers her identity and passes the news on to Clement, who plans to kill Movita. But Hull arrives in time with the police to trap Clement and to prove that he, and not Movita's brother, had set fire to his former cafe. Clement is arrested, and Movita's brother released.

Milton Raison and John T. Neville wrote the story and screen play; Lambert Hillyer directed it, and E. B. Derr produced it. In the cast are Alan Baldwin and others.

Suitability, Class A.

**"Playing with Dynamite" with Jane Wyman
and Allen Jenkins**

(Warner Bros., August 12; time, 59 min.)

The only difference between this and the previous "Torchy Blane" pictures is the change in the leading players; otherwise, the story follows the formula employed in this series. In spite of the fact that the story is far-fetched, it is pretty good program fare, for it has action, some thrills, and occasional comedy bits. The closing scenes are the most exciting; there the heroine's identity is discovered by the villain and her life endangered:—

When Jane Wyman, a newspaper reporter, discovers that Sheila Bromley, girl friend of a notorious criminal wanted by the police, was in jail, she decides to get into jail herself and try to obtain information from her. By committing minor offenses, she is arrested and placed in jail. Miss Wyman saves Miss Bromley's life by preventing another prisoner from stabbing her; for this she wins her friendship and thanks. They escape from jail and hide out in an apartment, where they receive a visit from the criminal. Miss Wyman manages to get word to Jenkins, her police sergeant fiance who poses as a racketeer. He arrives at the apartment when the criminal is there. One of the gangsters recognizes him and tips off the criminal, who orders his men to take Jenkins for "a ride." Jenkins manages to escape and to rush to Miss Wyman's aid. He captures the criminal. Miss Wyman is thankful, and delighted that Jenkins had had an opportunity to display his bravery.

Scott Littleton wrote the story, and Earl Snell and Charles Belden the screen play; Noel Smith directed it, and Bryan Foy produced it. In the cast are Tom Kennedy, Joc Cunningham, Eddie Marr, Edgar Deering.

Morally suitable. Class A.

CELEBRATING THE INDUSTRY'S FIFTIETH ANNIVERSARY

Because of constant urging, the producers have decided to celebrate on the first week in October the industry's Fiftieth Anniversary, for the purpose of stimulating business. And it may be extended by each exhibitor to a month, or even longer.

There may be differences of opinion between exhibitors and distributors as regards distributor sales policies, but there can be no such a difference when it comes to making an effort to get more business.

The present drive is not conducted on the pattern of last year's; there are no prizes offered, and the exhibitors are not asked to contribute money for the campaign; all they are asked to do is to read carefully the instruction pamphlet that has been sent to them; it has been prepared by Messrs. Kenneth Clark and Joel Swensen, of the Hays office. It is a modestly gotten together booklet, with no suggestions to the exhibitor to fly to the moon.

HARRISON'S REPORTS recommends that every exhibitor read this manual and follow as many of the suggestions as he possibly can.

If you have failed to receive a copy, write for a copy either to one of the exchanges you are dealing with, or the Motion Picture Producers and Distributors of America, 25 West 43rd Street, New York, N. Y.

STORY FORECASTS FOR THE 1939-40 SEASON

RKO (Radio Pictures)

(Continued from last week)

"PINOCCHIO," adapted from the Collodi version of a legend that existed long before the author, who used the name also of Lorenzini, wrote the book (in 1870). A puppet show of the same name toured Europe for centuries before it was written in book form. The circulation and gross sales of the Collodi version, printed in almost every language in the world, reached staggering figures, running into millions. It has been reprinted so many times that some of the public libraries carry as many as thirty-three versions, illustrated by different artists, as well as printed without illustrations. In this country alone, "Pinocchio" has been dramatized by six different versions, one of them having been produced by the Federal Theatres Project only a few months ago.

Comment: The book lends itself excellently to a cartoon feature. There is considerable comedy, and one feels sympathetic toward Pinocchio during his adventures.

Forecast: Mr. Disney will undoubtedly duplicate the success he attained with "Snow White," his first cartoon feature. It is a sure bet.

"TOM BROWN'S SCHOOL DAYS," to be produced by Towne & Baker, from the old novel by Thomas Hughes, dealing with a somewhat unruly school boy who enters Rugby. His associations at Rugby eventually make a different boy out of him. The boy, after graduation, enters Oxford. Two years afterwards he returns to Rugby to pay homage to his old schoolmaster, who lies dead.

Comment: "Good Bye, Mr. Chips" has shown what can be done with a school story. In this one, too, there is plentiful human interest, and the action keeps one's attention all the time. The only drawback is the fact that it has no romance, but the producers will undoubtedly provide the story with one.

Forecast: With proper handling, this story should make a good picture, with its box office results depending half on the fame of the book and half on the popularity of the players that will be assigned to the leading parts. It is a good bet in any event.

"VIGIL IN THE NIGHT," the novel by Dr. A. J. Cronin, author of "The Citadel," with George Stevens directing, a drama of self-sacrifice, dealing with a heroine, a nurse in charge of a small hospital, who, in order to save her younger sister, who was studying to be a nurse, from being expelled for carelessness, resulting in the death of a patient, takes the blame upon herself. She is discharged and goes to Manchester to work in another hospital. There, she saves the life of a wealthy manufacturer and wins the friendship of the brain surgeon. The two, working in har-

mony, save many a life. Soon afterwards she goes to the manufacturer's home to nurse his wife. The manufacturer proposes that she become his mistress and while she was repulsing him his wife enters. Then the manufacturer cowardly allows his wife to have the heroine discharged from the hospital for improper conduct. Through the surgeon's efforts she obtains another position, in London, and makes rapid progress. The heroine's sister, after graduating as a nurse, works in a place of bad repute. She is arrested and tried but she is saved by the testimony of the surgeon. By this time the surgeon and the heroine are in love with each other. The heroine and her sister go to Wales to fight an epidemic. There the younger sister dies, after redeeming herself. The manufacturer, too, repents for his cowardly behavior after the heroine had saved his niece's life, and apologizes to her. The surgeon and the heroine at last admit their love for each other.

Comment: This is powerful story material. There is action, and the interest is held tense by the doings. There is deep human appeal, too. Who can help admiring a person who will sacrifice her own reputation and endanger her livelihood for some one else? The sister's eventual redemption through self-sacrifice is moving. The romance is charming.

Forecast: The picture should turn out very good to excellent, and since Carole Lombard will take the leading part, with Anne Shirley in the part of her sister, the box office results should be of the same degree.

PARAMOUNT

"THE CAT AND THE CANARY," a spooky story, founded on the John Willard stage play of the same name, with Bob Hope and Paulette Goddard.

Comment: This play was produced once before, by Universal, in 1927, at which time sound had not yet come into existence. It turned out an excellent mystery picture, and made a good success at the box office.

Forecast: According to the Hollywood trade papers, the picture has been already produced, and will soon reach East. If Paramount has produced it with the same care as Universal, there is no reason why the picture should not turn out excellent.

"DISPUTED PASSAGE," the Lloyd Douglas novel, with Dorothy Lamour, Akim Tamiroff and John Howard, a drama revolving around surgeons and hospitals, with the hero, a famous surgeon, who is fond of his assistant, a young man, because he sees a brilliant future in him, until he meets and falls in love with a young white girl, who had been born and reared in China. He persuades the girl to let the young doctor alone for the sake of his future. The girl departs abruptly, leaving a note behind her. The young doctor learns from his superior that it was he who had induced the girl to give him up and to leave for China and, denouncing him, goes to China to find her. A raid by Japanese bombing planes wounds him so severely that the hero-surgeon is informed of it and he speeds to China to perform the operation that would save his life. He reaches him and performs the operation, but the young doctor does not show a will to live until the girl, having heard of his wounding, flies to his side. The young doctor then recovers.

Comment: There is deep human interest in the story, and the action is fast, keeping one's attention pretty tense at all times.

Forecast: The material is such as to make a picture of either very good or excellent quality, and with the popularity of Dorothy Lamour, aided by that of Akim Tamiroff, it should draw equally well at the box office.

"THE DOUBLE-DYED DECEIVER," with Tito Guizar, Emma Dunn and Alan Mowbray,—a western melodrama dealing with a young Texas desperado who, in order to rob a wealthy Mexican woman of her wealth, poses as her long-lost son. Her kindness and love reforms him and when he finds out that one of the men he had killed was her son he decides to continue the impersonation indefinitely.

Comment: This was first produced in 1920 by Samuel Goldwyn. It turned out a pleasing picture. The action is fast, and there is human interest in the story. The reformation of the young desperado and his decision to be a real son to the woman whom he had set out to rob are in accord with the spectator's desires.

Forecast: The story should make a fairly good to good picture, with fair box-office results.

(To be continued next week)

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MOTION PICTURE CODE ILLEGAL!

Every one of you knows by this time, I am sure, that the Department of Justice has declared the Fair Trade Practices Code "illegal and unreasonable restraint of trade."

The following is a copy of the letter that Mr. Thurman Arnold, Assistant Attorney General, sent on August 17 to the attorneys representing the major companies:

"On behalf of certain major motion picture companies who are defendants in the case of *United States v. Paramount Pictures, Inc., et al.*, you submitted to the Department of Justice a draft of a Trade Practice Code and asked for an expression of the Department's views.

"The Code assumes that the present organization of the motion picture industry is legal and that divestiture of exhibition and distribution is unnecessary. It therefore completely ignores the position taken by the Government in the pending litigation against the major companies. It also ignores the repeated statements of prosecution policy with respect to the moving picture industry made by the Department.

"The proposed Code is, in effect, an elaborate set of trade practice provisions superimposed upon a combination of producers, distributors, and exhibitors which the Department contends is an illegal and unreasonable restraint of trade. While the Code appears to be voluntary the practical effect of its adoption under existing conditions might be to compel independents to comply in order to survive.

"In addition to the illegality of the Code in failing to provide for divestiture of production and distribution from exhibition, various specific provisions of the Code are directly challenged by the Government in the pending litigation against the major companies.

"The Department therefore reaffirms the position which it has consistently taken since proceedings against the motion picture companies were commenced, to wit, that divestiture of distributors and producers from the exhibition branch of the industry must be obtained.

"The economic effects of the present illegal combinations were set out by the Department in its release of July 20, 1938, as follows:

"1. Independently owned theatres are being driven out of business because of the onerous and discriminatory conditions not only on the rental of film but with respect to other trade practices. At the present rate at which independently-owned theatres are being driven to financial failure, it will only be a question of a short time before there are no independents left in the field.

"2. New competitors who attempt to enter the field of motion picture exhibition find it almost impossible to secure film for exhibition on any reasonable and non-discriminatory basis. The result is that there is practically no effective new competition.

"3. Those independently owned theatres that have managed to date to survive are compelled, in order to get pictures, to operate under terms which leave them very little freedom in the selection of film and in the management of their own business.

"4. Independent producers find it practically impossible to secure a satisfactory market for their film because of the domination by the major companies over the exhibition houses. These independent producers are up against an almost hopeless bargaining disadvantage in securing markets for their film in exhibition houses that are controlled by the major producers with whom the independent producers are trying to compete.

"5. New capital investment in the motion picture business is discouraged because of the great difficulty of competing on a fair basis with the major companies, either in produc-

tion or exhibition, so long as the major companies control the principal markets for film.

"6. Theatre patrons in any given community are not given an opportunity to exercise choice as to the type of pictures they desire to see. Under present conditions it is impossible for community taste to find expression through a locally owned theatre free to bargain for the type of films its patrons wish. As matters now stand, each community is regimented into accepting the kind of picture which will make the most profits on a nation-wide scale.

"7. There is no opportunity for new forms of artistic expression which are not approved by those in control of the major companies, even though there exist communities which would support them.

"These conditions in the opinion of the Department will not be remedied by the proposed Code. It is based upon a structure of the industry which the Department expects to show is in clear and open violation of the Sherman Antitrust Law.

"Therefore, the Department in order to make its prosecution policy clear is compelled to announce that the adoption of the Code dated August 10, 1939, by the motion picture industry can only lead to continued and perhaps additional prosecutions."

The major companies were stunned when they received this letter. Trade paper reporters tried to get interviews with the heads of the companies but they could not get an expression of opinion from them.

On August 18, Mr. W. F. Rodgers, acting chairman of the distributor committee, issued the following statement:

"The committee that worked on the code has not lost one single bit of faith in it. They believe thoroughly that it can be of tremendous value to the industry and will tend to solve a great many of the difficulties which have arisen. We still hope to persuade the government that the code should be put into effect."

The action of the Department of Justice naturally justifies the attitude that Allied assumed toward the reform proposals submitted to it by the distributors, and puts the trade papers, which tried to make Allied appear as if it consisted of a group of intransigent exhibitors, in a very embarrassing position.

NATIONAL ALLIED EXPELS NEW YORK ALLIED FROM ITS RANKS

The following statement was issued by the Washington office of Allied States Association on August 17:

"RELATIONS SEVERED WITH NEW YORK ALLIED"

"Recently a member of the Board of Directors moved that all relations between Allied States Association of Motion Picture Exhibitors and Allied Theatre Owners of New York, Inc., be severed. The directors were polled by mail, as provided by the by-laws, and the motion was carried.

"GROUNDS FOR ACTION"

"Three grounds were cited by the directors for their support of the motion:

- "1. Failure of the New York organization to discharge its obligation to support the National Association;
 - "2. Acting contrary to the policies of Allied States Association; and
 - "3. Failure to curb attacks upon and criticisms of National Allied and its policies by the President and Counsel of the New York organization,
- all in violation of Article V, Sec. 2, of the Constitution.

(Continued on last page)

**"The Angels Wash Their Faces" with the
"Dead End" Kids, Ann Sheridan
and Ronald Reagan**

(First National, August 26; time, 85 min.)

Very good. Although the story is far-fetched, the melodramatic action is exciting, holding one's attention well throughout. In addition, there is plentiful comedy, of the type to provoke hearty laughter. For instance, the situations in which the "Dead End" kids, who, in a boys' week contest, had been appointed to city administration positions, take over their posts with the idea of doing as they pleased, should prove extremely amusing to spectators. A few situations touch one's emotions; particularly touching is the situation that shows a crippled boy trapped in a burning building. The romance is incidental:—

When Frankie Thomas is released from a boys' reformatory, his sister (Ann Sheridan) moves to another neighborhood, so as to keep him away from bad companions. When he becomes acquainted with the "Dead End" kids and shows them that he could fight, they make him a member of their club. Several fires break out in the neighborhood and the police become suspicious; they feel certain that a criminal gang was causing the fires. Thomas incurs the enmity of one of the gangsters working for Eduardo Ciannelli, who was head of the arson ring. No one suspected that Ciannelli was connected with the gangsters, for he had always posed as an upright citizen. Another fire breaks out, during which a young boy dies. The gangsters, who had started the fire, frame Thomas, making it appear as if he had started the fire because of a grudge. Thomas is arrested, tried, and convicted. His pals decide to get at the bottom of things. Their chance comes when Billy Halop, who had won first place in a boys' contest, is appointed Mayor for a week. They try to free Thomas but naturally are unsuccessful. Helped by Ronald Reagan, assistant district attorney, who loved Miss Sheridan, they trap the two gangsters responsible for the fires, and force them to talk. They are thus able to break the case, and to win Thomas' freedom. Miss Sheridan is overjoyed; she later marries Reagan.

Jonathan Finn and Niven Busch wrote the story, and Mr. Busch, Robert Buckner, and Michael Fessier, the screen play; Ray Enright directed it, and Max Siegel produced it. In the cast are Bonita Granville, Henry O'Neill, Jackie Scarle, and others.

Suitability, Class A. Action fast.

**"Lady of the Tropics" with Robert Taylor
and Hedy Lamarr**

(MGM, August 11; time, 91 min.)

This should prove a sensational box-office attraction, considering the popularity of the two stars; but it is strictly adult fare. It doesn't matter that the story is somewhat sordid, and that the action is slow; what counts is that the stars are hardly ever off the screen, that they make an engaging romantic team, and that audiences will rave anew about Hedy Lamarr's beauty. Not only has she been photographed exceptionally well, but she is dressed in the most glamorous type of clothes, the kind that women will rave about. Miss Lamarr may not be the best actress on the screen, but she certainly is one of the most fascinating:—

Taylor, a playboy, guest on a yachting trip with a wealthy American family, meets, upon their arrival in Indo-China, Miss Lamarr, a half-caste, companion of Joseph Schildkraut, also a half-caste, but the richest man in town. Taylor and Miss Lamarr fall madly in love with each other and marry. This infuriates Schildkraut, who was in love with Miss Lamarr passionately; he is determined to win her back. He starts out by using his influence in preventing her from obtaining a passport. After a few months, during which time their money runs out, she goes to see Schildkraut and gives herself to him on his promise to give her husband employment, and eventually to obtain a passport for her. Taylor, knowing nothing of what had happened, is happy to get a position, and leaves for a month's work in the jungle. When Taylor returns, he finds awaiting him an envelope containing a clipping about his wife's having attended the opera with Schildkraut. He forces her to tell him everything. Enraged, he sets out to kill Schildkraut. But Miss Lamarr, who knew that Schildkraut had sent the clipping in order to turn Taylor against her, thus forcing her to remain with him, rushes there before him. She kills both Schildkraut and herself. Taylor is heartbroken.

Ben Hecht wrote the screen play, Jack Conway directed it, and Sam Zimbalist produced it. In the cast are Gloria Franklin, Ernest Cossart, Mary Taylor, Charles Trowbridge, Frederick Worlock, and others.

Unsuitable for children or adolescents. Adult fare. Class B. Tempo, slow but action engrossing.

**"The Wizard of Oz" with Judy Garland,
Frank Morgan, Bert Lahr, Jack Haley
and Ray Bolger**

(MGM, August 25; time, 100 min.)

Audiences that have been yearning for something different in pictures will find in "The Wizard of Oz" the answer to their demands. From a production standpoint, it is something to marvel at, for the settings are not only exceedingly lavish, but also unusually imaginative; and the technicolor photography adds to their beauty. The story is, of course, pure fantasy. But so delightfully has it been handled, that it directs an appeal both to children and to adults. Even though some persons are not interested in pictures of this type, it is possible that they will be eager to see this picture just for its technical treatment. The performances are good, and the incidental music is of considerable aid. Pictures of this caliber bring credit to the industry.

The story relates the adventures of Dorothy, a young girl (Judy Garland), who, during a Kansas cyclone, is struck on the head by a crashing window, and, while unconscious, dreams that she had been tossed by the cyclone into the beautiful world of Oz. The first person she meets is the Good Witch (Billie Burke), who looked after the interests of the Munchkins (The Singer Midgets), midgets who lived in fear of the Bad Witch (Margaret Hamilton). Since Dorothy wanted to get back to Kansas, the Good Witch suggests that she consult the Wizard of Oz (Frank Morgan), who lived in Emerald City, for directions. On her way there, Dorothy meets three characters, The Scarecrow (Ray Bolger), who wanted a brain, The Tin Man (Jack Haley), who wanted a heart, and the Lion Man (Bert Lahr), who wanted courage. She suggests that they accompany her to Emerald City, for she felt certain that the Wizard could help them. After many adventures with the Bad Witch, after which they overpower her, they finally meet the Wizard who tries to impress them with his importance but who, they learn, was just a fraud. Nevertheless he shows each one that they already possessed what they wanted. Dorothy leaves for Kansas. At this point she awakens, and finds that the cyclone had passed, and that her aunt and her friends were at her side reviving her. She is happy to be back home.

The plot was adapted from the story by L. Frank Baum. Noel Langley, Florence Ryerson, and Edgar Allan Woolf wrote the screen play; Victor Fleming directed it, and Mervyn LeRoy produced it. In the cast are Charles Grapevin, Pat Walshe, Clara Blandick, and Toto the Dog.

Suitability, Class A. Tempo not fast, but the action is novel.

**"Charlie Chan at Treasure Island"
with Sidney Toler, Cesar Romero
and Pauline Moore**

(20th Century-Fox [1939-40], Sept. 8; time, 73 min.)

A pretty good murder mystery melodrama of program grade. The murderer's identity is so well concealed, that the audience is kept guessing to the very end. Laughter is provoked on occasion by the efforts of the detective's young son to follow in his father's footsteps. This results in many blunders and in annoyance to all. In addition, there is the attraction of tricks of magic performed by a few of the characters involved in the case. The romantic interest is of minor importance:—

Sidney Toler (Charlie Chan), returning by plane from Honolulu to San Francisco, is deeply touched by the death of a fellow passenger, a young author whom he had known well; he suspects foul play when he reads a cablegram the young man had received just before he died. Toler decides to investigate the case. Helped in his work by Douglas Fowley, a newspaper reporter, and Cesar Romero, a magician, his investigations lead him to a well known practitioner in occultism. But he cannot get any evidence against him, until one night he breaks into the man's private quarters, where he finds a safe with documents showing that this man had been blackmailing not only the young author, causing him to kill himself, but also many other persons, supposedly his customers. During the investigation another man is killed, and attempts are made on the lives of several others. Toler finally solves the case by proving that Romero himself was the blackmailer, and that no one, except his assistant whom he had killed, had known of his double life. Romero is caught and confesses. Fowley is happy when the case is solved, for the life of his sweetheart (Pauline Moore), a mind reader, had been in danger.

John Larkin wrote the story and screen play; Norman Foster directed it, and Edward Kaufman produced it. In the cast are Sen Young, June Gale, Douglas Dumbrille, Sally Blane, Wally Vernon, and others.

Not for children. Suitable for adolescents and adults. Class B.

"Behind Prison Gates" with Brian Donlevy and Jacqueline Wells

(Columbia, July 28; time, 62 min.)

A fair program prison melodrama. The plot developments are familiar; nevertheless they should hold the attention of audiences that enjoy stories of this type, for the action is fast, affording thrills on several occasions. The methods employed by Brian Donlevy, a federal agent who posed as a criminal, to trap the gangsters by pitting one against the other, are amusing. One is held in suspense during the closing scenes,—where the gangsters are shown learning of Donlevy's connection with the federal bureau, for his life is endangered. The romance is incidental:—

Donlevy, a federal agent posing as a notorious bank robber, is imprisoned in a state penitentiary. His purpose was to track down certain bank robbers and to learn from them where the bank loot was hidden. By pitting two prisoners, who he knew were connected with the robberies, against each other, he obtains from them information he needed. The warden, knowing who Donlevy was, helps him out when Jacqueline Wells arrives at the prison to see her brother, the man Donlevy was impersonating. They inform her that her brother had been killed in a holdup and ask her to work with them by pretending that Donlevy was her brother; she agrees to do this. Eventually Donlevy escapes with one of the prisoners, who promised to take him to the hiding place and to share the loot with him. In the meantime, the other prisoner escapes. Both escaped prisoners finally learn about Donlevy's connection with the federal bureau and plan to kill him. In a gun fight that follows at the hiding place, both prisoners are killed. Donlevy returns the loot to the authorities. He and Miss Wells are, by this time, in love with each other.

Arthur T. Horman and Leslie T. White wrote the original screen play; Charles Barton directed it. In the cast are Joseph Crehan, Paul Fix, George Lloyd, Dick Curtis, George McKay, and others.

Unsuitable for children. All right for adolescents and adults. Class B.

"Chicken Wagon Family" with Jane Withers and Leo Carrillo

(20th Century-Fox [1939-40], August 11; time, 64 min.)

Suitable only for the most ardent Jane Withers fans. The story is trite, and the comedy forced. The closing scenes are particularly silly; during those scenes, noise is substituted for comedy, every one in the picture joining in the shouting. This is more conducive to headaches than laughter. The players are up against pretty poor material; that they manage to win one's sympathy and to provoke a few laughs is due entirely to their ability:—

Jane, her father (Leo Carrillo), her mother (Spring Byington), and her sister (Marjorie Weaver), earn their living by travelling around the country in a mule-drawn wagon, trading with farmers and selling trinkets. Miss Weaver and Miss Byington are tired of the life and want to settle down in a city; but Jane and her father hold out against a change. When Jane realizes how hard her mother had worked to save a few hundred dollars in order to take her daughters to the city, which money Carrillo had found and gambled away in a poker game, she insists that her father move to the city. Once they arrive in the city, Jane manages to get into difficulties. But she is helped out by Kane Richmond, a policeman, who falls in love with Miss Weaver. Richmond permits them to live in an abandoned fire house, which was soon to be sold at public auction. Jane accidentally finds a long-lost cousin (Hobart Cavanaugh), who had a second-hand furniture business. She and her father get into difficulties with Cavanaugh because of their flightiness; but eventually, through a ruse, Jane induces Cavanaugh to buy the fire house and to turn it into a place of business. Everything works out successfully; Carrillo and Jane become Cavanaugh's partners.

Barry Benefield wrote the story, and Viola Brothers Shore, the screen play; Herbert I. Leeds directed it. In the cast are Hamilton MacFadden, Inez Palange, and others.

Suitability, Class A. Tempo, fairly fast.

"Hawaiian Nights" with Johnny Downs, Mary Carlisle, Eddie Quillan and Constance Moore

(Universal [1939-40], September 15; time, 65 min.)

A good program entertainment; it has comedy and romance, in addition to music, which varies from soft Hawaiian melodies to the typical jitterbug swing songs. The Hawaiian dances are well performed by natives. Although the story is not novel, it holds one's attention because it moves at a fairly fast pace; in addition, the performances are spirited. The formula romance is pleasant:—

In an effort to cure his son (Johnny Downs) of his desire to lead a jazz band, Thurston Hall, owner of a chain of hotels, sends Downs to Honolulu to act as assistant manager at one of the chain hotels. Unknown to his father, Downs takes along the members of the band, also Mary Carlisle, a singer, and Eddie Quillan, his manager. He tries to induce the hotel manager to engage the orchestra, but he refuses. Downs, who had met and fallen in love with Constance Moore, daughter of the owner (Samuel Hinds) of a small hotel that was doing poor business, induces Miss Moore, to allow his band to play there in return for lodgings and food. Hinds, who had gone to see Hall on a business deal, returns with the news that he had given him an option to buy the hotel. But when Hall arrives and finds his son booked to play there, he tears up the contract. This works to Hinds' benefit, for Downs' band proves to be a sensation, assuring the hotel of success. Quillan puts through a radio deal for Downs and the band, which was to be sponsored by Etienne Girardot, an eccentric millionaire who owned a pineapple plantation. Downs and Miss Moore are happily united.

John Grey wrote the story, and Lee Loeb and Charles Grayson, the screen play; Albert S. Rogell directed it, and Max Golden produced it.

Suitability, Class A.

FORECASTS

(Continued from back page)

Peace is established with all the Indian tribes except the Apaches, and President Grant orders General Steele to put an end to their atrocities. He offers Geronimo terms, but the Indian Chief, advised by a white renegade, refuses a compromise and is prepared to attack. General Steele's son arrives at the post, and when his father treats him without any fatherly sentiment he is heart-broken and resigns. He sends for his mother and sweetheart, intending to settle in California. But the Indians attack the stage, kill his mother, wound his sweetheart, and make the young man a prisoner. Then the General's heart melts. At the head of a troop he attacks the Indians and rescues his son and the son's sweetheart, and takes refuge on an island, where he is surrounded by the Red Skins. Eventually aid comes, and the Indians are subdued. A more kindly relationship is established between father and son. The son marries the girl.

Comment: There is fast action all the way through, and thrills. There is also deep human interest.

Forecast: If Paramount should produce it as a big picture, it will no doubt turn out either very good or excellent in quality, with good to very good results at the box office.

"HAPPY ENDING," a stage play by the McPhersons, which was produced at the Shubert Theatre, this city, in 1916, playing to only 16 performances. It is a drama, dealing with the wife of an actor-playwright-producer, whose wife deserts him because he, on the opening night of a new play, becomes intoxicated, ruining the play; she had felt despondent. She goes away to give birth to their child. The wife becomes a derelict and dies, and the husband becomes a Broadway has-been, yet proudly refusing help from friends. Twenty years later he receives a letter from his daughter in Canada, informing him that she intended to call on him during her contemplated short visit in New York. He becomes panicky, but a friend steps in and saves the situation by setting him up in style. When the daughter arrives, he sets her up in one of the finest hotels in the city and showers her with presents. She is charming, and displays unusual talent for acting. Soon the friend makes her aware of her father's true situation and when later in the evening the father shows up she is waiting for him. Soon she inspires him to return to the theatre. The father digs up an old play in which he and his helping friend had acted and, with the daughter in the leading part, left vacant by the dead mother, the play makes a great success. While the applause is still on, the father's heart gives out and he drops dead.

Comment: What a story! The fact that the play made a failure does not mean anything so far as its value for a moving picture is concerned. There is in it deep human interest and glamour. The act of the friend in helping the father set up his daughter in style in one of the finest hotels in town; the sight of the daughter standing by her father when she learns what a failure he was; the father's death immediately after the success of the old play;—these and other situations cannot help bringing tears to one's eyes.

Forecast: Paramount has in its hands a rare piece of property and, if it should produce it in accordance with what it deserves, it should make with it a picture that will be remembered; and if actors with fine dramatic ability were to be assigned in the leading parts there is no reason why it should not do "killing" business at the box office.

"ANOMALOUS STATUS OF NEW YORK ORGANIZATION"

"Because of infrequent meetings of the Board of Directors the Constitution permits an independent regional association to become a member of Allied by subscribing to the Constitution and by-laws, pending action of the Board at its next succeeding meeting. The New York association took this initial step during 1938. At the January meeting of the Board the New York association was granted temporary membership, permanent membership being conditioned upon its acceptance of a dues quota. A quota was assigned which the association later asked to have reduced by two-thirds. It has made no effort to discharge its obligation and has refused to consider the claim of National Allied for moneys advanced for organization purposes. Consequently, New York Allied has never been formally and finally admitted to membership.

"ACTION AMOUNTS TO EXPULSION"

"Due to the peculiar status of the New York organization, there was some difference of opinion as to whether the appropriate action would be to expel it or to deny its application for membership. While its application has never been formally accepted, the New York association nevertheless has been allowed representation at Board meetings and the action of the Board takes the form of an expulsion under Article V, Sec. 2. The organization has clearly forfeited all right to the privileges of membership.

"ACTION TAKEN WITH REGRET"

"The directors regret the necessity for the action taken for the reason that numerous members of the New York association have expressed themselves as being out of sympathy with the efforts of the leaders of the unit to embarrass and impede National Allied. Based upon a full experience, however, the directors are convinced that a relationship of cooperation and confidence can not exist between the two bodies so long as Messrs. Cohen and Kosch control the policies of the New York group."

EXIT LAGGARDS!

A very interesting story appeared in the August 12 issue of Box Office, on Page 32; it is so instructive, and at the same time so destructive to the arguments that are put forward by opponents of the Neely Bill, which is designed to outlaw block-booking as well as blind-selling, that I asked Ned Kann's permission to reproduce it, so that it may reach the greatest number of exhibitors possible.

"DETROIT—Hollywood's big brains are up to their necks in new worries over the Neely Bill, but many of the creators there predict an industry renaissance if the measure is enacted. Harold Heffernan declares he has discovered in a copyrighted article for the *Detroit News* and the North American Newspaper Alliance.

"'You would see the greatest inspirational boom Hollywood has experienced since the talking pictures came in,' he quotes one 'prominent producer whose name cannot be mentioned.'

"From the same source, this:

"'Unshackled from block booking, we would be forced to get down to work. Competition among studios would be increased ten-fold. Automatically, all the laggards would take to the outer gates.

"'Naturally, the most important and immediate improvement would be noted in stories. The bill requires film companies to display a synopsis of the story to the exhibitor, as well as a title, before he can be asked to purchase. That means the end of substituting as we have been doing for years out here. And the story synopsis must stand up or the exhibitor might decide his public won't go for it. That leaves the producer holding the bag—not the exhibitor, as is the case under the present sales system of job-lotting 50 or more "sight unseen" pictures each year.

"'This individual and direct method of sale on merit alone would put it straight up to the studio, the author, the cast and the director. If any of the group faltered, out they would go—and I believe it would be in a very great hurry. All hands, in effect, would be salesmen, obligated to deliver—or else.'

"At this point, Heffernan steps in with an observation or two of his own. 'For many years Hollywood has been severely criticized for not getting the most from its high-salaried writing departments, conceded to include some of the most brilliant minds in the literary field,' he states. 'Instead, it has seemed content to follow the easiest route—depending on purchase of big name stage plays and published novels (many unadaptable for movies) and resorting in too many emergencies to stop-gapping production programs with old stories produced in screen form twice and even three times before.'

"His unnamed source then further remarks. 'A child would realize that such a condition is not a healthy one to be found in the world's leading amusement medium. The proposed new order would awaken screen writers to their responsibilities. Possibly, if we had to face realities—real bread-and-butter competition—we could whip up literary works in our own writing departments that would compare favorably with the big-selling books and plays for which we must now bid exorbitant prices in open market competition.'

"'Enactment of the Neely Bill would end that, too,' believes this individual in discussing remarks released under new titles which Heffernan says has angered the public and brought stormy protests from exhibitors forced to take them in their block purchases. 'Can you imagine a film salesman calling on an exhibitor and showing him the synopsis of an old picture his company intends remaking? Unless it happened to be the revise of some sensational smash success, you could just about see the exhibitor showing the salesman the door with the parting word that he's no longer buying old stuff for his clientele.'

Were Mr. Heffernan to have written this article before the hearings on the Neely Bill had been held so that the exhibitors might have included them in the record, the exhibitor leaders would have had no better argument in their effort to convince the Senate Committee, and through it the entire Congress, that the Neely Bill will prove the salvation of the motion picture industry. Mr. Heffernan, whom I happen to know personally, is a sound man and would not have written such an article unless he felt sure that the views of the producer whose name he withholds were sound.

For years HARRISON'S REPORTS has been preaching, not only to the exhibitors, but to the entire industry, that the Neely Bill will not destroy the industry; it will destroy only the laggards, who, feeling sure that their pictures will sell, no matter how poor, because of the ready market for them, exert no effort to improve their product.

Allied should call Mr. Heffernan's report of the producer's views to the attention of Congress.

STORY FORECASTS FOR THE 1939-40 SEASON Paramount

(Continued from last week)

"FEDERAL OFFENSE," with Lloyd Nolan, a parole racket melodrama, with a kidnapping, in which two Federal men, assigned to the case, succeed by clever work in capturing the entire gang of racketeers and breaking up the racket.

Comment: The moral of the story is that society women should not be tender-hearted toward criminals, by believing that they are persecuted. In this case, the head of a parole-racket gang persuades a society woman to use her influence so that a criminal might be paroled. After the parole, the criminal is engaged by the society woman as a chauffeur and when he is unable to pay to the racketeers the necessary fee the racketeer coerces him into joining his gang in the kidnapping of the society woman's daughter. The action holds one's attention pretty tense all the way through, and one follows the fate of the F.B.I. men with sympathetic interest. But, like other stories of this types, it is not edifying.

Forecast: The story should make a good picture of this type, with fair box office results.

"FRENCH WITHOUT TEARS," the Terence Rattigan play, which was produced at Henry Miller's Theatre, September 29, 1937, playing to 111 performances. It is a light comedy, dealing with a group of young Englishmen, who are learning French from a woman somewhere on the Southern coast of France.

Comment: The picture has been already produced in England, with Ray Milland and Ellen Drew. Anthony Asquith has directed it. The New York critics, when it was produced on the stage here, did not go ecstatic over it; they praised it just mildly. They said that the comedy was more for English than for American showgoers.

Forecast: In all likelihood the play has made a fairly good picture. As to its box-office success in this country, it will undoubtedly prove just a fair attraction because the leads are not top ranking players.

"GERONIMO," a melodrama of white-Indian strife during the Presidency of U. S. Grant, to be directed by Paul H. Sloane, with Preston Foster, Ellen Drew, Andy Devine, Ralph Morgan and Chief Thundercloud:—

(Continued on inside page)

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GRADWELL SEARS A JUMP AHEAD OF OTHERS

Gradwell Sears, president of Vitagraph, Inc. (Warner-First National), has stolen a march on the other distributing companies; he has put the provisions of the Code into effect without requiring the exhibitor to bind himself to anything. In an announcement that appeared in the trade papers of August 24, under the heading, "The Merchandising Policy for Warner Bros.' 1939-40 Season," he offers to the exhibitors the following concessions:

1. Forty-eight pictures.
2. Twenty per cent cancellation of the total number of pictures licensed, if the film rentals will not average more than \$100, and ten per cent if they should average more than that amount.
3. Elimination of any feature that the exhibitor might find offensive to his patrons on religious, moral or racial grounds.
4. All top-bracket pictures to be played on preferred playing time.
5. A run for any deserving exhibitor.
6. Protection of old customers by not taking the product away from them.
7. No forcing of shorts, trailers or reissues.
8. Elimination of score charges.
9. A number of test runs to establish the proper price allocation of high-bracket pictures, such pictures to be allocated to test-city exhibitors not later than fourteen days after their national release date, and to all others when sending notice of availability.
10. Not to coerce any exhibitor into buying Warner-First National pictures by theatre-building threats.
11. Arbitration for any exhibitor who desires it, and
12. Clearance that will be reasonable as to time and area.

These concessions are offered to all holders of 1939-40 season's contracts, even if they have signed them as far back as the first day of January.

Thus Mr. Sears, without haggling or wrangling, without consulting with any other distributor, has put these reforms into force, offering them to all exhibitors indiscriminately.

Even though these reforms are not all that the exhibitors are looking for, nor do they come anywhere near the demands of the Department of Justice as deduced when the Government's brief in the suit against the major companies is compared with them, they are a step toward progress.

HARRISON'S REPORTS takes this opportunity of congratulating Mr. Sears for his progressive spirit.

A SIGNIFICANT RESOLUTION BY A NON-ALLIED EXHIBITOR ORGANIZATION

At a meeting of Southeastern Theatre Owners Association, held in Atlanta on August 9, the following resolution was passed:

"WHEREAS, the motion picture industry is currently attempting to formulate a Code of Fair Trade Practices for itself and the General Public, and

"WHEREAS, it has been proposed, among other conditions and practices, that the Producers and Distributors of motion pictures give the Exhibitors of motion pictures the privilege of eliminating a minimum percentage of the feature motion pictures which are sold to the Exhibitors so that the Exhibitors may have the opportunity of discarding poor and unsuitable motion pictures from its block purchases, and

"WHEREAS, certain of the said Producers and Distributors are attempting to enforce a principle of adding an equal or greater percentage to the cost of the new season product (1939-1940) to eliminate the benefits of this particular concession, and

"WHEREAS, contrary to the spirit of the Code certain Producers and Distributors are forcing the sale of unneeded short subjects to the purchase of their feature pictures, now, therefore, be it—

"Resolved, that we, the Directors of Southeastern Theatre Owners Association, in meeting assembled this, the ninth day of August, 1939, at the Ansley Hotel, Atlanta, Georgia, go on record with the Industry, the General Public and the Press as being unanimously opposed to this unfair practice and demand the immediate cessation of,

"A—The forced sale of short subjects.

"B—The unfair principle of appearing to give a twenty percent (20%) elimination of feature motion pictures which is actually no concession at all because the prices of the actual features used by the Exhibitors are being raised to such an extent that it entirely nullifies the proposed elimination and benefits which the Exhibitors are supposed to receive.

"Be It Further Resolved, that the President have copies of this resolution printed and immediately mail same to each of the Branch Managers in Atlanta, Georgia, and to each of the General Sales Managers in New York City, and to the Trade Press of the industry."

In sending out this resolution, Mr. Milton C. Moore, president of the organization, accompanied it with a circular letter stating that the meeting was attended by approximately sixty exhibitors besides twenty-two of the thirty members of the board of directors. Among these was, he says, one of the largest theatre operators in the territory, two of the next largest operators, and several independent circuit theatre operators. He said that at least one-half of the theatres in the territory were represented. In bringing these facts to the attention of those who received a copy of the resolution, his purpose was to impress them with the seriousness of the meeting.

In a personal note to me, Mr. Moore said also the following:

"All the members and non-members in this section . . . have never been radical but are fast becoming that way and believe me when this time comes something will be done as there is a limit to human endurance." He says that the exhibitors are running to their Congressmen for relief and the leaders of the association can not stop them; they are becoming unmanageable, he says, with but one thought—to "wreak vengeance on the accused."

In the July 29 issue I stated that, when it comes to national issues, even the unorganized exhibitors stand by Allied; I should have added also many exhibitor organizations that are not affiliated with Allied. Southeastern Theatre Owners Association, with a membership of 457 theatres, which Association is not an Allied unit, is the proof of it.

STORY FORECASTS FOR THE 1939-40 SEASON

Paramount

(Continued from last week's issue)

In the previous two issues, forecasts for the following Paramount stories were made: "The Cat and the Canary" (a remake), "Disputed Passage," "The Double-Dyed Deceiver" (a remake), "Federal Offense," "Geronimo," "French Without Tears," and "Happy Ending."

(Continued on last page)

"The Star Maker" with Bing Crosby and Louise Campbell

(Paramount, August 25; time, 93 min.)

This musical, which is based on the life of Gus Edwards, the man who started many youngsters on their theatrical climb to fame, offers pretty good mass entertainment. Bing Crosby is not cast in this picture as prominently as he has been cast in other pictures, for most of the action revolves around the young performers, particularly around Linda Ware, a talented singer. Some of the children are amusing, and capable. There is plentiful music, sung both by Crosby and the youngsters, most of it being of the popular variety. Towards the end, Miss Ware sings classical music, accompanied by a symphony orchestra, conducted by Walter Damrosch. Comedy and romance round out the plot:—

Crosby marries Louise Campbell, but finds it difficult to settle down to ordinary work, since his mind was on composing songs and on entering the theatrical field. He conceives the idea of forming an act composed of himself and children, but he finds it difficult to get a hearing. Through a ruse, Miss Campbell obtains a hearing with a famous theatre owner (Thurston Hall), and convinces him of the merits of Crosby's act. He gives Crosby a chance. The act goes over so well, that the bookings are extended. But Crosby, who was always full of ideas, wants to go further. Sponsored by a dealer in children's food, he starts a cross-country tour, in company with his wife and press agent (Ned Sparks), to find talented children. His scheme works, and he forms road companies. But he meets with disappointment when, on the opening night of his Broadway show composed of children, he is forced to close by order of the Children's Society, who insisted that it was against the law to permit children to perform after a certain hour. Crosby turns the contract of his most talented performer (Linda Ware) over to a noted symphony orchestra conductor, who sponsors her career as a singer. Crosby, feeling that all his work had been in vain, is despondent. But the coming of radio gives him a new idea: he carries on his programs with children over the air instead of on the stage. In time, he becomes so successful that he buys the radio station.

Arthur Caesar wrote the story, and he, Frank Butler, and Don Hartman, the screen play; Roy Del Ruth directed it, and Charles Rogers produced it. In the cast are Laura Hope Crews, and others.

Suitability, Class A. Tempo, a little slow in spots.

"Conspiracy" with Allan Lane and Linda Hayes

(RKO, September 1; time, 59 min.)

This program melodrama offers pretty exciting fare for an average audience, for the action is fast, holding one in suspense throughout. Although the name of the country in which the action unfolds is not mentioned, it seems reasonable to assume, because of the accents and of the circumstances, that it is meant to be one of the fascist countries. The story is somewhat far-fetched; but, since it moves at a fast pace, it holds one's interest well. The romance is minimized:—

When the ship on which Allan Lane was telegraph operator arrives at a foreign country, a deck hand forces Lane to send a secret message through for him. But when government officials arrive before the message could be completed, the deck hand dives off the boat; they shoot and kill him. Suspecting Lane of being his accomplice, they prepare to arrest him. Lane dives off the boat and, by evading the bullets, manages to swim to safety. He becomes acquainted with Linda Hayes, who, it develops, was the sister of the deck hand who had been killed; they had been working together in an underground movement against the brutal government, and had planned to seize the cargo of ammunition that was on the boat. Miss Hayes takes Lane to the cafe where she worked. The owner (Robert Barrat), an American, agrees to help Lane escape. But the officials, finding out where Lane was, rush to get him. Barrat, his assistant (Charles Foy), Lane, and Miss Hayes escape just in time. By means of help from a friend, Barrat and his party succeed in crossing the border in safety. Lane, who had fallen in love with Miss Hayes, asks her to leave for America with him; but she refuses, for she felt that she was of importance to the work going on in her country.

John McCarthy and Faith Thomas wrote the story, and Jerome Chodorov, the screen play; Lew Landers directed it, and Cliff Reid produced it. In the cast are Lionel Royce, J. Farrell MacDonald, Lester Matthews, and others.

Suitability, Class A.

"Coast Guard" with Randolph Scott, Frances Dee and Ralph Bellamy

(Columbia, August 4; time, 72 min.)

This melodrama is just an ordinary rehash of a familiar plot—that of two men being in love with the same girl, which results in conflict between them and in eventual reconciliation. All the usual plot developments have been employed, thereby lessening one's interest in the outcome. In addition, it has been given a careless production; the miniature work of storm-beaten ships will be obvious to most spectators. The melodramatic ending turns out to be ridiculous instead of being exciting; audiences will laugh, not because the action calls for it, but because it is so highly far-fetched:—

Ralph Bellamy, officer in the Coast Guard, falls in love with Frances Dee, but is too shy to propose. His pal (Randolph Scott), who was connected with the aviation division of the Coast Guard, and who was noted for his success with women, tries to give him advice. Before leaving for rescue work in a flooded area, Bellamy asks Scott to take care of Miss Dee. But Scott and Miss Dee fall in love with each other, and by the time Bellamy returns they are married. This naturally breaks up the friendship. Miss Dee is unhappy, for Scott stayed out nights, despite many promises to reform. Eventually she leaves him. He takes to drink, neglecting his work. When word comes that Bellamy, who had set off to rescue a group of explorers stranded in the ice country, was lost, Miss Dee asks Scott, who knew the country well, to go in search of Bellamy. At first he refuses; but he finally consents. He finds and brings back Bellamy, who was nearly frozen to death. On his return, he is happy to find that Miss Dee had forgiven him and had returned to their home.

Richard Maibaum, Alfred Duffy, and Harry Segall wrote the original screen play; Edward Ludwig directed it, and Fred Kohlmar produced it. In the cast are Walter Connolly, Warren Hymer, Robert Middlemass, and others. Suitability, Class A. Tempo, somewhat fast.

"The Under-Pup" with Robert Cummings, Nan Grey and Gloria Jean

(Universal [1939-40], September 1; time, 87 min.)

Not only does this picture offer a delightful entertainment, but it presents a captivating personality, Gloria Jean, an eleven year old girl, new to the screen, who should become a box-office sensation at once. Her singing voice, her naturalness before the camera, her facile enunciation, combined with her charm, should win every one who sees her. There is no reason why she should not prove as powerful a box-office magnet as is Deanna Durbin. The story is simple; but it has human interest, excellent comedy, and a pleasant romance. Throughout the picture there is a running gag that should keep audiences in "stitches"; it involves two mischievous boys, who remind one of the "Katzenjammer Kids," playing their tricks on their helpless father and on others:—

Gloria, young daughter of a tenement family, is the winner of a contest that was sponsored by wealthy young girls, entitling her to spend the summer with them at their exclusive camp. The girls, led by snobbish Shirley Mills, president of the club, humiliate Gloria. Only little Virginia Weidler proves to be her friend. Nan Grey, camp supervisor, is kind to Gloria and tries to help her. Everything that Gloria does gets her into trouble with the girls; but Virginia sticks by her. Gloria, feeling sorry for Virginia, whose parents were on the verge of a divorce, writes to her grandfather (C. Aubrey Smith) to fix things up. Frightening the parents by leading them to believe that Virginia was ill, he makes them both forget their marital difficulties; they rush to their child. Gloria, who had been coaching Virginia for the swimming race, is enraged when she finds Shirley trying to feed Virginia ice-cream so as to incapacitate her, and forces Shirley to eat the ice-cream instead. Shirley's immensely wealthy father (Raymond Walburn) arrives at the camp; at first he is angry but then he realizes that his child was spoiled, and deserved what she got. Virginia wins the race; but Gloria prepares to leave, for she thought that the girls did not want her. Her grandfather, who had arrived at the camp, compels her to remain and to apologize to Shirley; the plan works and the girls become good friends. Gloria is overjoyed when the girls make her a member of their club and give her a uniform. Miss Grey and Robert Cummings, camp director, plan to marry.

I. A. R. Wylie wrote the story, and Grover Jones, the screen play; Richard Wallace directed it, and Joe Pasternak produced it. In the cast are Beulah Bondi, Margaret Lindsay, Billy Gilbert, Ann Gillis, Paul Cavanagh, and others.

Class A. Tempo, fairly fast.

"Full Confession" with Victor McLaglen, Sally Eilers and Joseph Calleia

(RKO [1939-40], September 8; time, 72 min.)

A strong but somewhat depressing melodrama. With the exception of one amusing situation, during which laughter is provoked by the antics of Barry Fitzgerald, who had had a little too much to drink, the action is in a somber vein. The story has a harrowing effect on the spectator, for an innocent man, accused of murder, is made to suffer, until the real murderer confesses toward the end. Naturally this tends to hold one in suspense; but it is not pleasurable or exciting. The outstanding character is a Catholic Priest, who, having heard the murderer's confession, and being unable to divulge the facts, hounds the murderer until he confesses to the police. One feels sympathy for Sally Eilers, who loved and trusted the murderer, not knowing of his crime:—

Victor McLaglen, interrupted by a night watchman (Fitzgerald) while he was attempting to steal a fur coat from a department store, knocks out the watchman and grabs his gun. But a policeman had seen and followed him. Terrified, McLaglen shoots and kills the policeman, and throws the gun at his side. Wanting to clear himself of the murder charge, McLaglen throws a brick into the store window and snatches the fur coat; he is caught and sent to prison on a robbery charge. His sweetheart (Sally Eilers) enlists the aid of a Priest (Joseph Calleia) in obtaining a parole for McLaglen. A year later, Fitzgerald, while celebrating his son's marriage, drinks too much and becomes quarrelsome. A policeman takes him to the police station for the night. In checking fingerprints, they find that his coincided with those found on the gun that had killed the policeman. No one believes his story of having been knocked on the head by a robber, an incident which he had not reported for fear of losing his job. He is charged with the murder, tried, and sentenced to death. McLaglen, in a quarrel with two prisoners, is injured severely. Thinking that he was dying, he makes his confession to Calleia. But after a blood transfusion given by Calleia he recovers. When Calleia confronts him, he denies his confession. McLaglen is paroled and is eager to marry Miss Eilers. But Calleia, without revealing the facts, urges her to wait. McLaglen, enraged, quarrels with Calleia and strikes him, sending him against iron spikes. Calleia is on his deathbed. Conscience-stricken, McLaglen offers his blood for Calleia. After the transfusion he gives himself up to the police.

Leo Birinski wrote the story, and Jerry Cady, the screen play; John Farrow directed it, and Robert Sisk produced it. In the cast are Elisabeth Risdon and Adele Pearce.

Not for children. Suitable for adolescents and adults. Class B. Tempo is a little slow.

"The Hobby Family" with Irene Rich and Henry O'Neill

(First National, August 26; time, 54 min.)

Just ordinary program fare. The first half is slow, for most of the footage is consumed in establishing the hobbies of different members of one family; during this half there is a great deal of conversation. The second half is slightly more entertaining, for there is a little action towards the end, when a forest fire breaks out. But even this does not arouse more than a spark of excitement:—

Henry O'Neill, editor of a small-town newspaper, is pestered by his family for money to carry on their hobbies: his wife (Irene Rich) collected stamps, his daughter (Jean Sharon) collected records, and his son (Jackie Moran) specialized in amateur radio work. In addition, he had to support an idle brother, who enjoyed reading and quoting statistical reports. When a large chain buys the newspaper on which O'Neill worked and the new manager demands that he change his methods of reporting, O'Neill is so angry that he decides to take a vacation. At the same time, he finds a hobby—photography. In company with his son, he leaves for a camping trip. A forest fire breaks out; much of the rescue work is accomplished through Jackie's radio. Even though he and Jackie are hailed as heroes, O'Neill finds himself without a job when he returns home. But Miss Rich keeps things going by selling her valuable stamp collection. Things turn out well; O'Neill receives a reward from the government, for he had accidentally photographed the man who had started the fire. At the same time, he receives his old position back. And to top it off, he obtains a job for his brother.

William W. Brockway wrote the story, and he and Kenneth Gamet, the screen play; William McGann directed it, and Bryan Foy produced it. In the cast are Aldrich Bowker, John Ridgely, Peggy Stewart, and others. Suitability, Class A. Tempo, somewhat slow.

"Fifth Avenue Girl" with Ginger Rogers and Walter Connolly

(RKO, September 22; time, 82½ min.)

A good comedy; its appeal may, however, be directed more to class audiences than to the masses, because of the over-abundance of dialogue. The story is not new; but so lavish is the production and so skillful the performances, that one's interest is held well. Some spectators may be disappointed in the way the romance has been developed, for it is not given any buildup; as a matter of fact, it is the picture's most unimportant part. One feels sympathy for Walter Connolly and Ginger Rogers, whose efforts to help Connolly's family result in misunderstandings and discomfort for both of them:—

Connolly, a millionaire, is oppressed by business troubles on one hand and depressed by family troubles on the other. His wife (Verree Teasdale) was contemplating a divorce in order to marry a younger man; his son (Tim Holt) spent all his time playing polo instead of attending to business; and his daughter (Kathryn Adams) was frivolous. No one, except his secretary, remembers his birthday. He goes for a stroll in Central Park; there he meets Miss Rogers, and enjoys talking to her. He finds out that, although unemployed, she was cheerful and hopeful. He invites her to have dinner with him at an expensive night club, where they have a gay time. Connolly's wife, who was there with another man, is shocked at seeing her husband have a good time. Connolly drinks too much, and awakens the next morning to find that he had taken Miss Rogers home with him. Noticing how that infuriated his wife, he decides to keep Miss Rogers on as his companion, permitting the family to think that he intended to marry her. The plan works: Miss Teasdale does her best to win back her husband's love; Holt, because of his father's refusal to go to work, has to take matters into his own hands, and does a good job of it; and Miss Adams settles down and marries James Ellison, the family chauffeur. The family eventually learns the truth about Miss Rogers' standing in the household, and are happy. Holt, who had fallen in love with Miss Rogers, induces her to marry him.

Allan Scott wrote the screen play, Gregory LaCava directed it; Pandro S. Berman produced it. In the cast are Franklin Pangborn, Louis Calhern, Ferike Boros, Theodore VonEltz, Alexander D'Arcy, and others.

Suitability, Class A. Tempo, a little slow at times.

"These Glamour Girls" with Lew Ayres and Lana Turner

(MGM, August 18; time, 78 min.)

Just fair program entertainment. Its appeal should be directed mostly to younger people, who enjoy pictures with college backgrounds, for it is at a college where most of the plot unfolds. Most adults may find the actions of the young students and their girl friends slightly silly, and at times even boring. The story is artificial and the dramatic sequences forced. No one does anything to awaken deep sympathy. As a matter of fact, some of the characters are objectionable. The suicide of one of the girls seems forced. A few romances are worked into the plot:—

While out on a spree during which they become intoxicated, Lew Ayres, Tom Brown, and Owen Davis, Jr., three college chums, visit a dance hall. Ayres takes a liking to one of the hostesses (Lana Turner) and invites her down to the college for the week-end during important college festivities. When she arrives, he is embarrassed, for he had forgotten all about her; he had already invited his fiancée (Jane Bryan) as his guest. The society girls, particularly Anita Louise, try to humiliate her. At first Lana is quiet, but after a while she becomes enraged, upbraids them, and then leaves. In the meantime, Marsha Hunt, realizing she had lost her youthful charm and failing in an attempt to induce Tom Brown, with whom she had had an affair, to marry her, drives her car on to a railroad track in the path of an oncoming train and is killed. Ayres learns that his father (Henry Kolker) had been arrested for embezzlement; he rushes to New York to be with him. He assures his father that he did not mind giving up college and luxury. Knowing that Miss Bryan did not love him, and that she was in love with Richard Carlson, a young man working his way through college, Ayres releases her. He goes back to the dance hall to find Miss Turner; she is overjoyed at seeing him.

Jane Hall wrote the story, and she and Marion Parsonnet, the screen play; S. Sylvan Simon directed it, and Sam Zimbalist produced it. In the cast are Ann Rutherford, Mary Beth Hughes, Peter Hayes, and others.

The affair and suicide make it unsuitable for children and adolescents; adult fare. Class B. Tempo, somewhat slow.

"THE LIGHT THAT FAILED" (a remake), the novel by Kipling, the famous English author, to be produced and directed by William Wellman (producer of the "Beau Geste" version that has just been released), with Ronald Colman, Ida Lupino and Thomas Mitchell. It is a tragedy, dealing with an Englishman who goes to the war in Sudan and is wounded. When he returns to England he begins to feel his eyesight failing. Before going blind, he paints the picture of the girl he loved, but another girl mutilates it out of revenge. His sweetheart learns that he was going blind and goes to him, but she does not let on that the painting had been mutilated. The hero goes blind. Hostilities break out in Sudan again and he goes there. Guided by Arabs he finds his friend, but an Arab bullet puts an end to his existence.

Comment: This book has already been produced twice; once in 1916, by Pathe, and the other time by Paramount, in 1923. The Pathe version was fairly good, but the Paramount only fair. The material is such that it can make no more than a fairly good picture, good at the most, unless radical alterations in plot as well as characterizations are made. The hero arouses only commiseration.

Forecast: Under favorable conditions, it should make a fairly good to good picture, with similar box-office results.

"MY LOVE FOR YOURS," with Madeleine Carroll and Fred MacMurray, a story of love and misunderstandings, no different from hundreds of other stories of this kind. The only difference is the fact that a fortune teller tells the heroine that a tall dark man was to come into her life, that she was going to take care of a little child, and other such incidents. They all turn out as the fortune teller had predicted.

Comment: There is not much human interest in the story, and the action is not such as to hold one's attention tensely.

Forecast: It should turn out a fair picture, with fairly good to good box office results because of the popularity of Miss Carroll and of Fred MacMurray.

"OUR NEIGHBORS, THE CARTERS," with Fay Bainter and Frank Craven, a moving story of a physician and his family in a midwestern town, who have a child that had been crippled by infantile paralysis and haven't enough money for the purpose of engaging a Viennese specialist to cure him. A chain drug store comes into town and the doctor loses his own drug store from inability to compete with the new store. But eventually a wealthy friend comes to his rescue.

Comment: There is considerable human interest in this story. The sufferings of the doctor and his misfortune move one deeply.

Forecast: It should make a fairly good to good picture, with fair box office results.

"DIAMONDS ARE DANGEROUS," a crook-Secret Service melodrama revolving around diamond thieves operating in South America. The British Secret Service catches the heroine, partner of the brains of the diamond thieves, but she refuses to double-cross her gang. But she is offered immunity if she would help them capture another gang, whose cruelty had been indescribable. She does aid them, but when they capture them she finds out that her own boss was their leader. She becomes the wife of a British Royal Flying Corps officer, who had aided in the capture of the thieves.

Comment: There is just the amount of interest that is found in crook melodramas of other types, and the spectator is held in about the same degree of suspense when the lives of the sympathetic characters are in jeopardy.

Forecast: It should make a fairly good to good program melodrama, with fair to poor box office results unless prominent players are given the leading parts.

"RULERS OF THE SEA," with Douglas Fairbanks, Jr., a melodrama dealing with the invention of the first steam engine and fitting a sailing vessel with it. The action unfolds in London, and part of the action is an effort by two similar vessels each to cross the Atlantic first, the reward being the mail contract. There is also a love affair.

Comment: There is mild interest in the action and some sympathy for the two friends, one of whom is the inventor, to perfect the steam engine and fit it in a vessel. The romance is of secondary importance.

Forecast: It should make a fairly good picture, with the box office results in each locality depending on the drawing power of Mr. Fairbanks.

(To be continued next week)

BOX-OFFICE PERFORMANCES OF 1938-39 SEASON'S PICTURES—No. 1

This is the third series of articles giving the box-office performances of 1938-39 season's pictures. The first series was printed beginning with the January 14 issue, and the second beginning with the April 8 issue.

The designation "Good-Fair," means that one-half of the theatres have reported that they did good business with a particular picture and one-half of them fair. "Very Good-Fair" means that some theatres did very well, some well, while some only fair. The other designations have a similar meaning.

Columbia

"My Son Is a Criminal," with Alan Baxter, Jacqueline Wells, and Gordon Oliver; directed by C. C. Coleman, Jr., from a screen play by Arthur T. Horman: Fair-Poor.

"Let Us Live," with Henry Fonda, Maureen O'Sullivan, and Ralph Bellamy; produced by William Perlberg and directed by John Brahm, from a screen play by Anthony Veiller and Allen Rivkin: Good-Fair.

"Blondie Meets the Boss," with Penny Singleton and Arthur Lake; produced by Robert Sparks and directed by Frank R. Strayer, from a screen play by Richard Flournoy: Good-Fair.

"Lone Star Pioneers," with Bill Elliott and Dorothy Gulliver; directed by Joseph Levering, from a screen play by Nate Gatzert: Fair-Poor.

"Whispering Enemies," with Jack Holt and Dolores Costello; produced by Larry Darmour and directed by Lewis D. Collins, from a screen play by Gordon Rigby and Tom Kilpatrick: Good-Poor.

"Romance of the Redwoods," with Charles Bickford, Jean Parker, and Gordon Oliver; directed by Charles Vidor, from a screen play by Michael Simmons: Fair-Poor.

"North of the Yukon," with Charles Starrett and Linda Winters; directed by Sam Nelson, from a screen play by Bennett R. Cohen: Very Good-Poor.

"The Lady and the Mob," with Fay Bainter, Ida Lupino, and Lee Bowman; produced by Fred Kohlmar and directed by Ben Stoloff, from a screen play by Richard Maibaum and Gertrude Purcell: Good-Poor.

"First Offenders," with Walter Abel, Beverly Roberts, and Johnny Downs; directed by Frank MacDonald, from a screen play by Walter Wise: Good-Poor.

"The Law Comes to Texas," with Bill Elliott and Veda Ann Borg; directed by Joseph Levering, from a screen play by Nate Gatzert: Fair-Poor.

"Spoilers of the Range," with Charles Starrett and Iris Meredith; directed by C. C. Coleman, Jr., from a screen play by Paul Franklin: Fair-Poor.

"Outside These Walls," with Michael Whalen, Dolores Costello, and Virginia Weidler; directed by Raymond B. McCarey, from a screen play by Harold Buchman: Fair-Poor.

"Blind Alley," with Chester Morris and Ralph Bellamy; produced by Fred Kohlmar and directed by Charles Vidor, from a screen play by Philip MacDonald, Michael Blankfort, and Albert Duffy: Good-Fair.

"Missing Daughters," with Richard Arlen, Rochelle Hudson, Isabel Jewell, and Marian Marsh; directed by C. C. Coleman, Jr., from a screen play by Michael L. Simmons and George Bricker: Fair-Poor.

"Only Angels Have Wings," with Cary Grant and Jean Arthur; produced and directed by Howard Hawks, from a screen play by Jules Furthman: Excellent-Good.

"Trapped in the Sky," with Jack Holt; produced by Larry Darmour and directed by Lewis D. Collins, from a screen play by Eric Taylor and Gordon Rigby: Fair-Poor.

"Western Caravan," with Charles Starrett and Iris Meredith; directed by Sam Nelson, from a screen play by Bennett R. Cohen: Good-Poor.

Thirty-two pictures, excluding four Westerns, have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 1; Excellent-Good, 1; Very Good-Poor, 1; Good, 1; Good-Fair, 5; Good-Poor, 5; Fair, 2; Fair-Poor, 16.

The first thirty-two pictures in the 1937-38 season, including Westerns, were rated as follows:

Excellent, 2; Good-Fair, 3; Good-Poor, 3; Fair, 8; Fair-Poor, 15; Poor, 1.

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WHAT ARE THE OTHER MAJORS NOW GOING TO DO ON THE REFORMS?

Now that Warner Bros. has put into force most of the reforms that had been offered the exhibitors by the distributor negotiating committee, which reforms were rejected by Allied, on the ground that they did not take care of all the independent exhibitor grievances, what are the other majors going to do? Are they going to revise their selling policies, or adhere to the old sales methods?

The logical move on their part would be to follow Grad Sears' lead. Paramount has already decided to put these reforms into force; Neil Agnew has informed this office that he is going to have them incorporated into the Paramount contract, the form of which he is now revising.

The most important concessions that Warner Bros. has offered to the exhibitors are the following:

(1) Cancellation of two pictures out of each ten in cases where the exhibitor has bought the entire First National-Warner Bros. product, and his film rentals do not average more than \$100 for each picture (one out of each ten when the rentals average more than \$100 per picture), the cancellations to be proportional among the different groups. If a group consists, for example, of ten pictures, the exhibitor will be entitled to cancel two pictures.

The Warner announcement does not state whether the exhibitor will be allowed to cancel two pictures if the group should consist of only six pictures, but if precedent should be followed, he should be allowed to cancel two, for since the days of the NRA Code a fraction of ten has come to be considered a full unit as long as it does not consist of fewer than five pictures.

It may be possible that, in the case of exhibitors whose average film rental per picture will be less than \$100, a minimum of seven pictures may be considered a full unit, allowing a minimum of five pictures still to constitute a full unit in the case of those who will have the right to cancel only one picture out of each unit of ten pictures, as long as the total number of the pictures an exhibitor will have the right to cancel is not increased.

But I presume that these are matters of detail, and will be adjusted in operation; I take it for granted that the interpretation of the language of what Gradwell Sears has offered, and what the other major companies may offer, will be made in a fair spirit.

(2) Elimination of a feature picture if it should prove objectionable to the people of the contract holder's community on either religious, moral, or racial grounds. Although no strings are attached to this offer, as was the case with the Code that the Department of Justice has condemned recently, it is assumed that the exhibitor will have to satisfy Warner Bros. that the objection on such grounds is bona fide.

(3) No forcing of shorts, trailers or reissues. If this concession should be applied by the forces in the field fairly, I am sure that Gradwell Sears will have the everlasting gratitude of every exhibitor in the country; and I have no doubt that he will do the best he can to see to it that it is carried out without any "chiseling."

(4) Elimination of the score charge. It is up to the exhibitor to see to it that the salesman does not add it to the film rental.

(5) Establishing a picture's price bracket allocation fourteen days after that picture's national release date; and to make the allocations fair, Warner Bros. will make tests of each high-priced picture in several "test cities." This, too, is a welcomed offer.

(6) No coercion or intimidation of exhibitors by theatre-building threats.

(7) Arbitration to those exhibitors who ask for it and sign an agreement to that effect. This type of arbitration,

however, will not be the kind that was outlawed by the courts in 1929-30; each party (exhibitor and distributor) will be entitled to choose one arbitrator, and the two arbitrators will agree upon a third, to act as an umpire.

(8) Fair and reasonable clearance as to time and area. Although this concession is flexible in that its fairness cannot be determined in advance, those who will sign an arbitration agreement will be able to submit their grievance to an arbitration board.

Warner Bros. has made these concessions retroactive; that is, they apply not only to future contracts, but also to 1939-40 contracts that have been signed as early as January 1, 1939.

The point that has been designated as number (4) in the Warner Bros. announcement in the trade papers reads as follows: "We expect all top bracket pictures to be played on preferred playing time." This is not, of course, a concession, but it is up to the exhibitor to limit the number of top-bracket pictures.

The offer that has been numbered in the Warner Bros. announcement as (5) means that Warner Bros. will sell pictures to any exhibitor, regardless of competition in a locality, but it is surrounded by so many conditions that it actually means nothing; it must be left to the fairness of the Warner officials to give real meaning to it. But in view of the changing conditions in the industry, I am sure that no exhibitor will be left without film even where competition is keenest.

Warner Bros. promised also not to take the service away from an old customer, provided his business relations with the company have been good.

Perhaps the other major companies, stunned by the action of Warner Bros.—the lone wolves of the industry—will go one better and offer the exhibitors more. But each individual exhibitor should demand at least the same concessions.

STORY FORECASTS FOR THE 1939-40 SEASON

Paramount

(Continued from last week)

"SEVENTEEN," (a remake), the Booth Tarkington novel, with Jackie Cooper and Betty Field. It deals with the romance of a seventeen year old boy, who gets into a jam in trying to entertain a young sophisticated city girl, who had visited his small town. Eventually things are straightened out—the girl goes back to the city and the boy returns to the bosom of his family.

Comment: The novel was produced as a stage play in 1918, playing to 225 performances. It was made into a picture before that time, in 1916, by Paramount, with Jack Pickford, with fair box office results.

Forecast: It should make a fairly good to good picture, with good box office results.

"TYPHOON," with Dorothy Lamour, the romance of a castaway girl, daughter of a skipper, whose ship went down with all aboard immediately after the captain had put his ten year old daughter into a raft. Ten years afterwards a submarine, used for pearl fishing, comes to the island. Aboard it there was the hero, a young sailor, who had been shanghaied. He drinks heavily and the heroine, who finds him on the beach, takes him to her cave fifty feet below the ground. The native crew of the submarine revolts and, putting the captain and his mate ashore, try to run away in the ship, but it sinks, because they did not know how to operate it. The hero and the heroine find the two whites and care for them. Natives set fire to the jungle to smoke out the whites but the tidal wave that had been created by a typhoon puts out the fire. The natives are all drowned.

(Continued on last page)

"The Man They Could Not Hang" with Boris Karloff

(Columbia, August 17; time, 63 min.)

Presumably this was meant to be a horror picture, but it is doubtful if it will thrill any one but children. Adults will find the story extremely silly; and the plot is developed in so obvious a manner that there are no surprises. Although the leading character at first wins one's sympathy, he later turns out to be a most unpleasant person—a homicidal maniac. There is a fair degree of suspense towards the end, when the hero-villain traps a group of persons in a room the exits of which were charged with high voltage electricity. There is no romance:—

Boris Karloff, a surgeon and scientist, invents a mechanical heart that could be used to restore life; it could prove extremely helpful to surgeons in operative cases. A young college man agrees to act as a test case. Karloff puts him to death by means of poison gas but, before he could use his invention to restore him to life, the young man's fiancée arrives with the police, and his experiment ends. Karloff is arrested, tried for murder, and sentenced to be hung. After the hanging, Karloff's assistant claims the body; he first operates on the broken neck and then, by means of the mechanical heart, brings Karloff back to life. After a few months of rest, Karloff sets out to kill every one connected with his trial. After killing six jurors, he gathers together at his home, through a ruse, the judge, district attorney, and the remaining jurors. Robert Wilcox, a newspaper reporter, forces his way in. In a short time, they realize that they were trapped; they are frightened when the supposedly dead man appears. He kills two men within a half hour. The timely arrival of Karloff's daughter, who threatens to kill herself unless he would desist from his murderous intentions, stops him. Karloff dies from a bullet wound inflicted by the district attorney.

Leslie T. White and George W. Sayre wrote the story, and Karl Brown, the screen play; Nick Grinde directed it. Not for children. For adolescents and adults. Class B.

"Golden Boy" with Barbara Stanwyck, Adolphe Menjou and William Holden

(Columbia, September 5; time, 99 min.)

A good drama with definite mass appeal. Even though the action is a little slow at times, it is always interesting. The story is different from the ordinary prizefight picture, in that it stresses the emotional conflict that the hero goes through in choosing between the career of a violinist and of a fighter; it does not glorify the fighting game. There are several situations that tear at the heartstrings; these occur when the hero's father, a simple-living person, pleads with his son not to fight. One feels sympathy for the hero throughout, since one understands the impulse that had urged him on to success in the ring; his suffering touches one. The fighting sequence near the end is one of the most exciting seen in pictures; not only has the bout been handled realistically, but the excitement of the mob has been caught; thus the spectator's interest in the fight becomes intensified. The romance does not start off pleasantly, but it ends satisfactorily. William Holden, a newcomer, who plays the lead, shows fine talent and should go a long way:—

Holden, son of an Italian middle-class groceryman (Lee J. Cobb), loves music and shows talent as a violinist. Cobb dreams of the day when his son would be a famous musician. But Holden wants to make money, not only for himself but for his father, sister, and brother-in-law, and the only way he knew how to make it was by fighting. Cobb is heartbroken when his son ties up with Adolphe Menjou, a fight manager, but Holden assures him everything would be all right. Holden wins all his fights, showing great promise. On a visit to his family, he plays the violin for them; he is so moved that he decides to give up fighting. Barbara Stanwyck, Menjou's girl friend, knowing that Holden was in love with her, tells Menjou not to worry; she goes out with Holden and convinces him that money and fame are important. Holden goes back to fighting, hoping to win both the title and Miss Stanwyck. Joseph Calleia, a gangster, insists on a half-interest in Holden, but Menjou turns him down. Being deeply in love with Holden by this time, Miss Stanwyck pleads with him to give up fighting. But when Holden realizes the influence Calleia had in getting important engagements, he insists on the partnership. Another reason was that he felt that Miss Stanwyck had used her charms on him for Menjou's sake; he did not know that Menjou had succeeded in obtaining a divorce from his wife, and that Miss Stanwyck felt it was her duty to marry him. Holden wins his most important bout; but he is horrified when he learns that his opponent had died. Grief-stricken, he tells Calleia that he was through with fighting. Miss Stanwyck rushes to his side, offering her comfort and love. Together, they go back to Holden's father's humble home.

The plot was adapted from the stage play by Clifford Odets. Lewis Meltzer, Daniel Taradash, Sarah Y. Mason, and Victor Heerman wrote the screen play; Rouben Mamoulian directed it, and William Perlberg produced it. In the cast are Sam Levene, Edward S. Brophy, Beatrice Blinn, Don Beddoe, and others.

Since the relationship between Miss Stanwyck and Menjou is handled carefully, it is suitable for all. Class A.

"Flight at Midnight" with Phil Regan, Jean Parker and Robert Armstrong

(Republic [1939-40], August 28; time, 65 min.)

Fair entertainment. It mixes aviation melodrama with romance, some comedy and a little music. Although it is entertaining on all these counts, it becomes irksome because of the characterization of the hero. He is presented in so unfavorable a light—as being conceited, philandering, and unreliable—that one is annoyed with him and, therefore, does not follow his actions with enthusiasm. As a matter of fact, his neglect of duty is the direct cause of the death of a likeable character. Not until this happens, which is towards the end, does he become regenerated; but by that time it is difficult for one to sympathize with him. The closing scene, in which the hero risks his life to save the passengers in another plane, is pretty exciting. Phil Regan handles the musical numbers well:—

Regan, air-mail pilot for Harlan Briggs, owner of an airport, is constantly disobeying orders. Because of this, Robert Armstrong, airport inspector, is compelled to ground him for thirty days. Regan takes it as a personal offense, for he believed that Armstrong resented the fact that he had gone out with Jean Parker, airline hostess, and a good friend of Armstrong's. Regan and his mechanic (Noah Beery, Jr.) start an aviation school; although they stick to rules, they disrupt the organization at the airfield. Miss Parker tries to reason with Regan but he refuses to heed her advice. Learning that Col. Roscoe Turner would be unable to test a new plane that meant the salvation of the airport, which would be closed unless Briggs could raise \$100,000 to clear the field of high tension wires, Briggs offers the test flight to Regan. He accepts it. Being late, as usual, Beery takes his place; he is killed during the flight, and Regan is heartbroken. Turner, who had been flying five Mayors to a fair, with Miss Parker as hostess, radios that he was in trouble and would have to land in the dark. Regan, realizing that he would crash into the high tension wires, goes up in his plane, and purposely crashes it through the wires, thereby clearing the field for Turner. Regan is severely injured, but he recovers and wins praise from friends and Miss Parker's consent to their marriage.

Daniel Moore and Hugh King wrote the story, and Eliot Gibbons, the screen play; Sidney Salkow directed it, and Armand Schaefer produced it.

Suitability, Class A.

"Irish Luck" with Frankie Darro and Dick Purcell

(Monogram, August 22; time, 58 min.)

A pretty entertaining program comedy-melodrama. It holds one's interest well, for there is something happening all the time; moreover, the mystery is not solved until the end. The comedy is worked into the plot without retarding the action, thereby keeping one amused as well as excited. There is no romance:—

Frankie Darro, a bellhop at a hotel, was always getting into trouble because of his uncontrollable desire to be a detective. Even though he was directly responsible for the capture of two bond thieves, Dick Purcell, the police sergeant, warns him not to interfere in police matters, for he remembered that Darro's father, a detective, had been killed in service and he did not want Darro to take any chances. But Darro and his assistant, a negro porter (Manton Moreland), cannot help becoming involved in another case, this time a murder. He helps a young lady to escape from the hotel, for, although suspicion pointed to her, he believed her to be innocent. Darro finally solves the case, but he is trapped by the murderer, who, it develops, was the hotel detective; he had been mixed up with crooks in the stolen bond racket. Moreland, who had been hiding in the bathroom of the murderer's suite, in an effort to help Darro, climbs out on the window ledge, pretending to want to jump, thereby attracting the police. The police arrive in time to save Darro and capture the murderer. Darro tells Purcell that he had been taught his lesson and would thereafter keep away from detective work.

Charles M. Brown wrote the story, and Mary C. McCarthy, the screen play; Howard Bretherton directed it, and Grant Withers produced it. In the cast are Lillian Elliott, Shelia Darcy, Dennis Moore, and others.

Suitability, Class A. Tempo, pretty fast.

**"Death of a Champion" with
Lynne Overman, Virginia Dale
and Donald O'Connor**

(Paramount [1939-40], September 1; time, 66 min.)

A fair program entertainment. It combines murder mystery melodrama with comedy; and, since the murderer's identity is not divulged until the end, it holds one in fair suspense. Most of the laughter is provoked by young Donald O'Connor, whose eagerness to do detective work leads him into many embarrassing and at times dangerous situations. Since there are several murders and clues to follow, it should fare best with audiences who enjoy pictures of this type, regardless of the far-fetched plot and ordinary production values. The romance is pleasant:—

During a dog-show, the champion dog owned by Harry Davenport is poisoned mysteriously. At the same time, Pierre Watkin, a former dog judge, who was a spectator at the show, is killed. Since the murder occurred in the booth where Lynne Overman sold encyclopedias, Donald O'Connor, his young assistant who read detective stories, takes a personal interest in the case. Since no one listened to his theories, he sets out to investigate matters for himself. He goes to the dead man's room, but before he could find anything two other men enter through the window at different times. From his hiding place under the bed, O'Connor sees one of the men kill the other and leave through the window. By the time O'Connor summons the police, the body disappears. Soon a third murder occurs. O'Connor, who had a clue, rushes to the place where the dog show had been held, and telephones to Overman; but he is overpowered by some one. Overman, realizing that something had happened, goes to his aid; but he, too, is trapped. Through a clever trick, however, they manage to escape. Accompanied by the police sergeant, they rush to Davenport's home, where Davenport was having a party, and through a ruse they trap the murderer (Robert Paige), forcing him to confess. With the case settled, Overman turns his mind to romance with Virginia Dale. O'Connor consents to the marriage.

Frank Gruber wrote the story, and Stuart Palmer and Cortland Fitzsimmons, the screen play; Robert Florey directed it, and William H. Wright produced it. In the cast are Joseph Allen, Jr., Susan Paley, Walter Soderling, and others.

Because of the murders it is unsuitable for children, but satisfactory for adolescents and adults. Class B. Tempo, fairly fast.

**"Stop, Look and Love" with Jean Rogers
and Robert Kellard**

(20th Century-Fox [1939-40], Sept. 22; time, 57 min.)

Minor program fare. It is another one of those family pictures that should do best as a second feature in neighborhood theatres. In spite of the fact that on occasion laughter is provoked by the actions of the two children of the family, the story is not, on the whole, interesting enough to hold one's attention. Another fault is the characterization of the mother, whose silly chatter becomes annoying. No fault can be found with the performances, but only with the material:—

William Frawley sympathizes with his elder daughter (Jean Rogers), for her mother (Minna Gombell) constantly nagged her about getting married. While at a motion picture show, Miss Rogers accidentally meets Robert Kellard, who asks to see her home. They see each other quite often after that, and soon fall in love with each other. But Miss Rogers fears to invite him to her home lest her mother, in her eagerness to see her get married, scare him away by her silly conversation, as she had done with others. Miss Rogers and Kellard plan to go on a picnic, and she finally asks him to call for her at her home. Miss Gombell starts her usual tactics of trying to impress the young man with her daughter's charm and good tastes. She gets him frightened when she tells him what expensive clothes Miss Rogers buys, and how she demands everything of the best. Miss Rogers enters just as Kellard remarks that he did not think she was that type of girl. Misunderstanding his statement, she asks him to leave. She packs her bags and leaves home. Her father suggests that Kellard follow her and force her to listen to reason. He does, but not until they had first become embroiled in a fight in which others had joined, and from which they both emerged with black eyes.

Harry Delf wrote the story, and Harold Tarshis and Sada Cowan, the screen play; Otto Brower directed it, and Sol M. Wurtzel produced it. In the cast are Eddie Collins, Cora Sue Collins, and others.

Suitability, Class A. Tempo, somewhat slow.

**"Adventures of Sherlock Holmes" with
Basil Rathbone, Nigel Bruce
and Ida Lupino**

(20th Century-Fox [1939-40], Sept. 1; time, 82 min.)

Despite a far-fetched plot, this murder mystery melodrama is pretty exciting, mainly because of the excellent production values. The settings, lighting, photography, and music, in addition to the usual stock tricks, are of considerable aid in creating an eerie atmosphere, putting the spectator in a receptive mood for a story of this type. There are several situations that hold one in tense suspense. The situation towards the end, where the heroine is pursued by a murderer, narrowly escaping death, is thrilling. Although one knows the identity of the criminal leader, the murderer's identity is not revealed until the end. The romance is unimportant. London is the background:—

Basil Rathbone, a famous detective (Sherlock Holmes), knows of the criminal activities of George Zucco, but is unable to obtain incriminating evidence against him. Zucco warns him that he intended perpetrating a most amazing crime, and that he, Rathbone, would not be able to stop him. Rathbone receives a visit from Ida Lupino. She shows him a threatening letter her brother had received, and informs him that years previously her father had received a similar note before he had been murdered. Rathbone and his assistant (Nigel Bruce) agree to take the case; but before they can do anything Miss Lupino's brother is murdered. When Miss Lupino, too, receives a similar note, Rathbone decides to protect her. In the meantime, Zucco was concocting a brilliant scheme to steal the crown jewels from the Tower of London. He had arranged the murder of the young man and had sent the threatening letter to Miss Lupino only to divert Rathbone's attention from him. Rathbone saves Miss Lupino by trapping the killer Zucco had engaged. After hearing the man's confession, the truth dawns on him; he rushes to the Tower of London in time to foil Zucco. He chases Zucco to the roof of the tower and, in a fight that follows, Zucco falls to his death. Miss Lupino, who had suspected her fiancé (Alan Marshal) of having had a hand in her brother's murder, expresses her regrets and becomes reconciled with him.

The plot was adapted from the play by William Gillette. Edwin Blum and William Drake wrote the screen play, Alfred Werker directed it, and Gene Markey produced it. In the cast are Terry Kilburn, Henry Stephenson, E. E. Clive, Arthur Hohl, May Beatty, and others.

Not for children. Suitable for adolescents and adults. Class B. Tempo, pretty fast.

"The Fighting Gringo" with George O'Brien

(RKO, September 8; time, 59 min.)

The formula plot has been employed for this Western, but it should satisfy the fans. There is plentiful action, fast horseback riding, and gun and fist fights. The spectator is held in suspense, for the hero's life is endangered throughout because of his conflict with the villain and his gang. A romance is started between the hero and the heroine, but it is not culminated, for in the end the hero leaves to continue his exciting life:—

After stopping an attempted robbery of a stage coach carrying a large gold shipment, George O'Brien and his band of vagabonds accompany the coach to town. Lupita Tovar, a passenger on the coach, is grateful to O'Brien for his help, and invites him to a fiesta to be held at her father's ranch. The arrival at the fiesta of LeRoy Mason with his ranch foreman (William Royle) signifies trouble, for they were attempting to steal the ranch. While Miss Tovar's father (Lucio Villegas) asks Mason to a room in the house for a private talk, Royle sneaks into the room, knocks out Villegas and kills Mason; he then escapes, making things look as if Villegas had killed Mason. Villegas' men help him to escape. O'Brien realizes what had happened; he knew that Royle was engaged to Mary Field, sister of the dead man, and that he had killed the brother so as to eventually own the property himself. By pretending to be on Royle's side, O'Brien wins his confidence. Through a ruse, he obtains confirmation of his suspicions from Royle's assistant, who had seen the murder. By revealing the facts to her, O'Brien obtains the help of Miss Field. After a terrific battle, O'Brien overpowers Royle and his men, forcing them to confess to the Sheriff. Although he had been attracted to Miss Tovar, O'Brien leaves the ranch to continue his adventurous life.

Oliver Drake wrote the story and screen play; David Howard directed it, and Bert Gilroy produced it. In the cast are Glenn Strange, Slim Whittaker, Martin Garralaga, and others.

Suitability, Class A.

Since the lifeboat was not destroyed the four decide to sail to Samoa with it. The hero resolves to give up drinking so as to make a good husband to the heroine.

Comment: There is fast action all the way through. The typhoon, if enacted realistically, should prove thrilling. The employment of a submarine for pearl fishing is a novelty and should prove interesting to the average spectator. The forest fire, too, should thrill one.

Forecast: If produced well, the story should make a very good melodrama, with good box office results.

"UNTAMED," the story of a young surgeon whose health breaks down because of dissipation. When he is suspended he goes on a hunting trip to Northern Canada, where the simple outdoor life soon restores his health. The wife of the man who once had saved his life from a grizzly bear, becomes infatuated with him. When he finds out about it he decides to go away rather than hurt his friend's feelings, but the breaking out of an epidemic compels him to stay. He conquers the epidemic and stays in the village. The girl from the city who loved him goes to him and they marry.

Comment: There is a fair amount of interest. The infatuation of the woman for the hero, who wants to remain true to his friend, is not a pleasant incident. The hero's fighting the epidemic and conquering it are acts that awaken some sympathy.

Forecast: The story should make a fair or fairly good picture, with the box office results depending on the leads.

"WHAT A LIFE!," based on the stage play by Clifford Goldsmith, with Jackie Cooper and Betty Field. It is a story dealing with a high-school student who, in order to satisfy his mother with a high mark, "cribs." But he is caught and is expelled from school. But when the school's "sheik" takes his girl away from him in addition to placing on him the blame for a theft he had not committed he exposes him, gets his girl back, and also wins a place in an art school.

Comment: The play was produced April 14, last year, and played to 81 performances. But there isn't much to this story of school-boy escapades. To begin with, the young hero "cribs"; then again he does nothing to deserve sympathy. The part of the action that shows another student stealing the school's band instruments and pawning them is not edifying. Nor is the manner by which the young hero exposes the guilty student.

Forecast: The picture should turn out fair, with fairly good to good box-office results, because of Jackie Cooper's drawing powers.

BOX-OFFICE PERFORMANCES OF 1938-39 SEASON'S PICTURES—No. 2

First National

"Blackwell's Island," with John Garfield, Rosemary Lane, and Stanley Fields; produced by Bryan Foy and directed by William McGann, from a screen play by Crane Wilbur: Very Good-Fair.

"Dark Victory," with Bette Davis, George Brent, and Geraldine Fitzgerald; produced by David Lewis and directed by Edmund Goulding, from a screen play by Casey Robinson: Excellent-Very Good.

"You Can't Get Away with Murder," with Humphrey Bogart, Gale Page, and Billy Halop; produced by Sam Bischoff and directed by Lewis Seiler, from a screen play by Robert Buckner, Don Ryan, and Kenneth Gamet: Good-Poor.

"Confessions of a Nazi Spy," with Edward G. Robinson and Paul Lukas; directed by Anatole Litvak, from a screen play by Milton Krims and John Wexley: Excellent-Poor.

"Sweepstakes Winner," with Marie Wilson, Johnnie Davis, and Allen Jenkins; produced by Bryan Foy and directed by William McGann, from a screen play by John Kraft and Albert DeMond: Good-Poor.

"Code of the Secret Service," with Ronald Reagan and Rosella Towne; produced by Bryan Foy and directed by Noel Smith, from a screen play by Lee Katz and Dean Franklin: Fair-Poor.

"The Man Who Dared," with Jane Bryan and Charley Grapewin; produced by Bryan Foy and directed by Crane Wilbur, from a screen play by Lee Katz: Fair-Poor.

"The Kid from Kokomo," with Wayne Morris, May Robson, Joan Blondell, and Pat O'Brien; produced by Sam Bischoff and directed by Lew Seiler, from a screen play by Richard Macaulay and Jerry Wald: Very Good-Poor.

Twenty-one pictures have been released. Grouping the

pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 1; Excellent-Very Good, 1; Excellent-Good, 1; Excellent-Poor, 1; Very Good-Good, 1; Very Good-Fair, 3; Very Good-Poor, 1; Good-Fair, 2; Good-Poor, 2; Fair, 1; Fair-Poor, 7.

The first twenty-one pictures in the 1937-38 season were rated as follows:

Excellent-Good, 2; Very Good-Good, 2; Good, 3; Good-Fair, 3; Fair, 6; Fair-Poor, 5.

Metro-Goldwyn-Mayer

"Let Freedom Ring," with Nelson Eddy, Virginia Bruce, and Edward Arnold; produced by Harry Rapf and directed by Jack Conway, from a screen play by Ben Hecht: Good-Fair.

"Pygmalion," with Leslie Howard and Wendy Hiller; produced by Gabriel Pascal and directed by Anthony Asquith and Leshe Howard, from a screen play by George Bernard Shaw: Excellent-Good.

"Ice Follies of 1939," with Joan Crawford, James Stewart, and Lew Ayres; produced by Harry Rapf and directed by Reinhold Schunzel, from a screen play by Leonard Praskins, Florence Ryerson, and Edgar Allan Woolf: Good-Poor.

"Within the Law," with Ruth Hussey, Tom Neal, and Paul Kelly; directed by Gustav Machatzy, from a screen play by Charles Lederer and Edith Fitzgerald: Fair-Poor.

"Sergeant Madden," with Wallace Beery, Tom Brown, Alan Curtis, and Laraine Day; produced by J. Walter Ruben and directed by Josef Von Sternberg, from a screen play by Wells Root: Very Good-Fair.

"Society Lawyer," with Walter Pidgeon, Virginia Bruce, and Leo Carrillo; produced by John Considine, Jr., and directed by Edwin L. Marin, from a screen play by Frances Goodrich, Albert Hackett, Leon Gordon, and Hugo Butler: Good-Poor.

"Broadway Serenade," with Jeanette MacDonald and Lew Ayres; produced and directed by Robert Z. Leonard, from a screen play by Charles Lederer: Very Good-Fair.

"The Kid from Texas," with Dennis O'Keefe and Florence Rice; produced by Edgar Selwyn and directed by S. Sylvan Simon, from a screen play by Florence Ryerson, Edgar Allan Woolf, and Albert Mannheimer: Fair-Poor.

"The Hardys Ride High," with Mickey Rooney and Lewis Stone; directed by George B. Seitz, from a screen play by Agnes C. Johnston, Kay Van Riper, and William Ludwig: Very Good-Good.

"Calling Dr. Kildare," with Lew Ayres, Lionel Barrymore, Laraine Day, and Lana Turner; directed by Harold S. Bucquet, from a screen play by Harry Ruskin and Willis Goldbeck: Very Good-Fair.

"Lucky Night," with Myrna Loy and Robert Taylor; produced by Lewis D. Lighton and directed by Norman Taurog, from a screen play by Vincent Lawrence and Grover Jones: Good-Poor.

"Tell No Tales," with Melvyn Douglas and Louise Platt; produced by Edward Chodorov, directed by Leslie Fenton, from a screen play by Lionel Houser: Good-Fair.

"It's a Wonderful World," with Claudette Colbert and James Stewart; produced by Frank Davis and directed by W. S. VanDyke, II, from a screen play by Ben Hecht: Very Good-Fair.

"Bridal Suite," with Annabella and Robert Young; produced by Edgar Selwyn and directed by William Thiele, from a screen play by Samuel Hoffenstein: Good-Poor.

"6,000 Enemies," with Walter Pidgeon and Rita Johnson; produced by Lucien Hubbard and directed by George B. Seitz, from a screen play by Bertram Millhauser: Good-Fair.

"Tarzan Finds a Son," with Johnny Weissmuller and Maureen O'Sullivan; produced by Sam Zimbalist and directed by Richard Thorpe, from a screen play by Cyril Hume: Very Good-Fair.

Forty pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 3; Excellent-Good, 3; Excellent-Fair, 1; Very Good-Good, 5; Very Good-Fair, 6; Good, 1; Good-Fair, 11; Good-Poor, 7; Fair-Poor, 3.

The first forty pictures in the 1937-38 season were rated as follows:

Excellent, 1; Excellent-Very Good, 1; Excellent-Good, 2; Very Good-Good, 9; Very Good-Fair, 3; Very Good-Poor, 1; Good, 8; Good-Fair, 12; Good-Poor, 1; Fair, 1; Fair-Poor, 1.

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CUTTING DOWN PRODUCTION BUDGETS

The closing of the moving picture theatres in Great Britain last week as a war measure threw the American producers into a panic. Consultation after consultation was held by the heads of each company in New York and by the studio executives in Hollywood with a view to taking appropriate measures to meet changed conditions.

The fear of the American producers in such circumstances is not unnatural, for their revenue from Great Britain is approximately forty per cent of their entire receipts, and when even part of it is jeopardized one cannot blame them for becoming frightened.

According to Douglas Churchill, Hollywood correspondent of the *New York Times*, Joseph Schenck, chairman of the board of directors of Twentieth Century-Fox, issued a week-end statement last week informing the industry that, since sixty per cent of his company's foreign business had been sacrificed, a revision of its production policy and drastic economies at the studio were imperative.

Studio economies have already been effected by this company by the discharge, according to *Daily Variety*, of Hollywood, of three hundred employees. How many writers it will discharge, and how much it will reduce the salaries of those that will remain will not become known, *Variety* says, until later.

Mr. Churchill states that Edward Small has decided to abandon production of "Pago Pago," "My Son, My Son," and "Two Years Before the Mast," until market conditions improve.

Columbia announced last week that it has abandoned production of "Arizona."

What pictures other companies have abandoned or will abandon has not become known, but there is no question that all will do some more or less, except Universal, the president of which, Mr. Nate Blumberg, accompanied by Mr. Cliff Work, studio head, stated to a gathering of trade paper men that Universal definitely will neither reduce any of its budgets nor abandon the production of any of the pictures that it contemplated producing. (It is safe to assume that neither Republic nor Monogram will make any retrenchment; the heads of both companies have assured this writer to that effect.) As a matter of fact, Hollywood rumor has it that the million dollar productions will be abandoned for the time being, and that no more than \$500,000 will be spent on the biggest pictures.

Sixty-five per cent of the theatres in Great Britain have, of course, reopened, and this percentage will increase as the war goes on and the British Government finds that it is safe to increase it; but retrenchment at all major studios will, no doubt, be carried

on, with a view to preparing themselves for any emergency that might arise.

Retrenchment at the studios is, indeed, praiseworthy, provided picture quality does not suffer, and the benefit from the reduced picture costs goes also to the exhibitors; but in this instance, not only no indication has been given that the exhibitor's weekly film bill will be smaller, but also the quality of the pictures cannot help deteriorating, for the major studios are geared to high production budgets, and when such budgets are reduced the production units are unable to adjust themselves to the new budgets without considerable sacrifice.

Those film companies that announced either studio economies or abandonment of certain of their scheduled pictures have realized the error they committed when they rushed to print with their intentions and are now trying to offset the bad impression they created in the minds of the exhibitors by issuing reassuring statements. Columbia, for example, stated this week that "Arizona" has been, not abandoned, but postponed for a period of sixty days. How can you be sure that it has been merely postponed and not abandoned? The contract, not only does not promise delivery of any of the pictures it has announced in either the trade papers or its private announcement book, but also relieves the distributor of penalties should it fail to deliver any of the pictures. Columbia offers no guarantee that it will produce and deliver "Arizona." Likewise with other distributors.

Those of you who bought your pictures before the announcement of studio economies are entitled to a reduction of your film prices and the bettering of your terms, for in making up your mind what prices to pay and what terms to accept you were influenced by what the distributors promised to deliver and not by what they are now going to deliver. You should insist upon a readjustment.

THE PRODUCERS SHOULD BEGIN ADJUSTING THEMSELVES TO A NEW SALES POLICY

The Neely Bill will become a law. The major companies know this better than anybody else. But they are not beginning to adjust themselves to selling their pictures under the order that will be created by this Bill; and when it does pass, it will throw them out of gear, and may even threaten the very existence of some of them.

They should begin laying a foundation for the new sales conditions now, and not wait until the law is passed before taking the necessary steps.

With the passage of the Neely Bill, it will be unnecessary for them to become panicky under such conditions as were created last week by the closing down of the theatres in Great Britain. Had the Neely Bill been a law, they could have reduced their

(Continued on last page)

**"Tropic Fury" with Richard Arlen,
Andy Devine and Beverly Roberts**

(Universal [1939-40], October 13; time, 62 min.)

Fair program entertainment for action fans. The background is sordid, for most of the action takes place in the Amazon jungle, where the rubber plantation workers, who were held prisoners, are treated brutally. One is, however, held in fairly tense suspense, because of the danger to both the hero and the heroine, who become involved with the brutal ruler of the jungle. Some of the fights may prove enjoyable to men. The romance is minimized:—

Samuel S. Hinds, American rubber manufacturer, induces Richard Arlen to go to the Amazon to investigate plantation conditions. Four men, one an eminent scientist (Charles Trowbridge), who had been sent on the mission, had disappeared mysteriously. Hinds, unaware that his secretary (Milburn Stone) was in the pay of a foreign power that was seeking monopoly of the rubber supply, had given advance information to his organization. Arlen, when he arrives, seeks to engage guides but is turned down. Two strange men try to poison him. He is saved by Andy Devine, a former American bartender, and they become friends. Arlen mistrusts Beverly Roberts, a young American girl, who insisted on going into the jungle. By posing as workers, Arlen and Devine manage to get passage to the jungle, which, they discover, was ruled by brutal and scheming Lou Merrill. It develops that Miss Roberts was the daughter of the missing scientist; she finds her father, a prisoner of Merrill's, with his memory gone. Arlen obtains information about Merrill's cruelty to the workers. When Arlen's identity is discovered, Merrill plans to kill him. In the meantime, the foreign agent, feeling that there was no need of Merrill any longer, plans to kill him. But the workers, led by Arlen and Devine, revolt; Merrill is killed, and the foreign agent routed; Arlen takes charge. Arlen and Miss Roberts, who had fallen in love with each other, plan to marry.

Maurice Tombragel and Ben Pivar wrote the story, and Michael L. Simmons, the screen play; Christy Cabanne directed it, and Ben Pivar produced it. In the cast are Lupita Tovar, Leonard Mudie, Noble Johnson, and others.

Suitability, Class A. Action, pretty fast.

**"Dust Be My Destiny" with John Garfield-
and Priscilla Lane**

(First National [1939-40], Sept. 16; time, 88 min.)

A pretty strong melodrama. The action holds one in tense suspense, but it is for the most part harrowing. In spite of the fact that several situations are wildly melodramatic, the story is interesting and even exciting; and, since it is made evident from the very beginning that both the hero and the heroine were innocent, one follows their fate with sympathetic concern. The romance has been handled with restraint; it is made believable because of the good performances by the leading players. There is very little comedy:—

After having served a prison term for a crime he had not committed, John Garfield is released when the real criminal is found. Embittered by the experience, he travels around the country as a hobo. At one point he is picked up on a charge of vagrancy and sent to a county work farm. He meets and falls in love with Priscilla Lane, step-daughter of Stanley Ridges, the brutal, drunken foreman of the farm. When Ridges finds them in each other's arms, he starts abusing Miss Lane. Garfield gets into a fight with him; suddenly Ridges falls dead from a heart attack. Frightened, Garfield and Miss Lane run away and are married. They are horrified to read that they had been accused of the murder of Ridges, and that the police were after them. Thereafter they lead the lives of fugitives, for Garfield refused to go back and stand trial, since he felt he would not be given a fair chance. Garfield becomes interested in photography and gets a scoop on a holdup. Alan Hale, newspaper editor, excited because of the unusualness of the pictures, gives Garfield his first real chance. But again the authorities are close on their heels, Miss Lane, unable to stand the strain any longer, gives Garfield away to the police. Hale remains loyal and helps them at the trial. The jury finds Garfield not guilty. Overjoyed, the young couple look forward to a happy life together.

The plot was adapted from the novel by Jerome Odlum; Robert Rossen wrote the screen play, Lewis Seiler directed it, and Lou Edelman produced it. In the cast are Frank McHugh, Billy Halop, Bobby Jordan, Charles Grapewin, Henry Armetta, John Litel, and others.

Suitability, Class A. Tempo, fast.

**"Five Little Peppers and How They Grew"
with Edith Fellows and Clarence Kolb**

(Columbia, August 22; time, 59 min.)

This human-interest comedy-drama is fairly good program fare for the family trade. Even though the story is over-sentimental and a little maudlin at times, it should go over with the rank and file, for there are several situations that touch one's emotions and others that provoke laughter. The simple plot may, however, bore sophisticated audiences. There is no romance:—

Since the death of her husband in an accident, Dorothy Peterson was compelled to work to support her five children. Edith Fellows, one of the children, runs the house. She becomes acquainted with Ronald Sinclair, whose grandfather (Clarence Kolb) was extremely wealthy; he becomes attached to the family and helps them in many ways. Kolb, who was eager to obtain the half-interest in a copper mine that Edith had inherited from her father, knowing that the family was very poor and would take anything he offered, pays them a visit at a time when the mother had gone out of town to do factory work. While there with Ronald, the children develop measles, and he and Ronald are quarantined. It is then that Kolb becomes a changed man; he learns to love the children and does everything he can to help them. Edith is the last one to break down. She becomes blind temporarily. Kolb calls for Miss Peterson, and induces her to move with all the children to his home for a proper rest. Edith recovers her sight. Overhearing a conversation about the mine, Miss Fellows misunderstands and insists on leaving Kolb's home with her family. But he later explains everything, and the family is overjoyed to learn that they would be wealthy, for Kolb had arranged to work the mine as a partner. He insists that they all continue living at his home.

The plot was adapted from the novel by Margaret Sidney; Natalie Bucknell wrote the screen play, Charles Barton directed it, and Jack Fier produced it. In the cast are Dorothy Ann Secce, Charles Peck, James Leck, and others.

Suitability, Class A. Tempo, a little slow.

**"Smuggled Cargo" with Barry Mackay
and Rochelle Hudson**

(Republic, August 21; time, 62 min.)

There is fast action in this melodrama, but it is not always pleasurable. One situation shows a mob attempting to carry out a lynching threat against an innocent man; such action is extremely unpleasant and tends to put the spectator in a nervous state. The story lacks novelty both in plot and in development. As an entertainment, its appeal should be directed mostly to those who demand action above anything else:—

When a sudden frost sets in, a group of California orange growers turn to their leader (Ralph Morgan) for help. Since oil was needed immediately for heating purposes, Morgan's son (Barry Mackay) rushes to Arthur Loft for it; but Loft refuses to help unless the growers would sell their product to him at an extremely low price. Mackay and his pal (Cliff Edwards) overpower Loft and his companion (John Wray) and take the oil. On the way back their car breaks down; they stop a car on the road. Mackay forces the occupants (Rochelle Hudson and Berton Churchill) to turn the car over to them, without realizing that Churchill was their most important customer. When he finds this out the next day, it is too late, for Churchill had already made a deal with Loft. The orange growers stand to be ruined and blame Morgan for mismanagement. Mackay discovers that Loft was smuggling oranges across the border, which was against the law. Morgan goes to see Loft about this, and they quarrel. Wray, who hated Loft, fires a shot at him from the window and kills him. Morgan is arrested for the murder. Wray incites the orange growers to lynch Morgan. Mackay rushes to Churchill for help; he tells him what had happened. Churchill arrives at the jail in time to prevent the lynching. He convinces the men that Morgan was innocent and that, since he had discovered that Loft had sold him contraband goods, he would place his order with Morgan. Mackay then proves that Wray was the murderer. Miss Hudson and Mackay realize they are in love.

Michael Jacoby and Earl Felton wrote the original screen play; John H. Auer directed and produced it. In the cast are Wallis Clark and others.

Not for children. Suitable for adolescents and adults. Class B.

**"The Day the Bookies Wept"
with Joe Penner**

(RKO [1939-40], Sept. 15; time, 63 min.)

A good comedy. Although the story is thin, the picture has many comical situations, amusing dialogue, and fast action. Moreover, it provides Joe Penner with a part that suits his talents well. It should entertain, not only the Penner fans, but also others. The horse races are an added attraction, providing excitement as well as comedy. The romance is of minor importance:—

Joe Penner, a taxicab driver, trains pigeons in his spare time; he tries to save enough money so as to marry Betty Grable, a waitress. Miss Grable's brother (Richard Lane), also a taxicab driver, spends all his money betting on horse races. He induces the other drivers to pool their resources, buy the horse and to train it. But Penner wanted nothing of trained pigeons, Lane chooses him as the logical person to buy the horse and to train it. But Penner wanted nothing of the scheme, until he loses his job. Then he agrees to go down to Kentucky to buy the horse. He falls into the hands of two crooks (Thurston Hall and Carol Hughes), who sell him an ordinary horse, leading him to believe that it was a thoroughbred. As soon as he arrives home, he starts training the horse. But, to their dismay, the drivers find that, not only was the horse costing them money, but they could not make any money betting on him, for he came in last in every race. Hall arrives in New York and is surprised to learn that the horse had been entered in an important race. Knowing that the horse could win if he drank beer, and wanting to place a substantial bet on him, he sends a barrel of beer to the stable, which the horse drinks. Miss Grable, who had overheard Hall tell his daughter about his plans, insists, without revealing anything, that her brother and Penner turn all their money over to her. This she promptly bets on their horse. The horse races and win; Penner, Lane, and the others are heartbroken, but their despair turns to joy when they learn what Miss Grable had done.

Daniel Fuchs wrote the story, and Bert Granet and George Jaske, the screen play; Leslie Goodwins directed it, and Robert Sisk produced it. In the cast are Tom Kennedy, Bernadene Hayes, Jack Arnold, and others.

Suitability, Class A.

**"Everything's On Ice" with Irene Dare,
Edgar Kennedy and Roscoe Karns**

(RKO, October 13; time, 66 min.)

Minor program fare. Young Irene Dare is a talented ice-skater and does some difficult routines competently. But audiences that have become accustomed to seeing expert skating by Sonja Henie and others will demand of a picture more than just some fair skating routines. And that is where this picture falls short, for it has nothing else to offer. The story is silly, even irritating; and there is nothing that the performers can do with the material. The formula romance is mildly pleasant:—

Roscoe Karns, who lived with his sister, brother-in-law (Edgar Kennedy), and their two children (Irene Dare and Mary Hart), does not work; instead, he spends his time dreaming of making quick millions. By a stroke of luck, he induces a booking agent to give him a contract for young Irene to skate at a resort in Florida. Karns then leaves with his sister, Irene, and Miss Hart, and is financed by Kennedy, who had been trying to save enough money with which to buy a barber shop for himself. As soon as Karns arrives in Florida, he engages the most expensive suite at the hotel, and begins spending money lavishly. He attracts the attention of George Meeker, who poses as a millionaire. Karns tries to arrange a match between Meeker and Miss Hart, but she had become interested in Eric Linden, a bashful young man who appeared to be poor but who, in reality, was a millionaire. Karns, not knowing of Linden's wealth, breaks up the friendship, and orders Miss Hart to marry Meeker. It develops that Meeker was a crook, and that he, thinking Miss Hart was wealthy, had planned to marry her. Kennedy arrives to find that Irene's earnings had been squandered and that Karns was in debt. He pays the bills and orders his family to return home. He then urges Linden to induce Miss Hart to marry him. Everything ends well; Linden and Miss Hart marry, and Linden opens a barber shop for Kennedy.

Adrian Landis and Sherman Lowe wrote the screen play, Erle C. Kenton directed it, and Sol Lesser produced it. In the cast are Lynne Roberts, Bobby Watson, Mary Currier, Wade Boteler, and others.

Suitability, Class A. Tempo, fairly fast.

**"The Women" with Norma Shearer
and Joan Crawford**

(MGM [1939-40], Sept. 1; time, 132 min.)

A powerful box-office attraction. There is no doubt as to its reception by women, for they will enjoy the story and they will be thrilled by the lavish production, particularly by the display of gorgeous clothes. Although there are no men in the cast, male audiences should enjoy the picture, for it has plentiful comedy and human appeal; they will probably find the actions of the gossipy women exceedingly amusing. The performances all around are excellent; but one's sympathy is centered on Miss Shearer, who shows the finest traits of any of the characters in the picture:—

Miss Shearer, happily married, adores her husband and her child (Virginia Weidler). Through gossip channels, Rosalind Russell, one of Miss Shearer's friends and a vicious gossip, learns that Miss Shearer's husband was having an affair with a shop girl (Joan Crawford). She sees to it that Miss Shearer learns the facts; and then starts egging her on to do something about it. Humiliated and miserable about the whole thing, Miss Shearer goes to Reno for a divorce. Even on the day that the divorce is granted she hopes for a reconciliation; but her dreams are shattered when she receives a long-distance telephone call from her ex-husband informing her that he had married Miss Crawford. Eighteen months later, Miss Shearer finds out that Miss Crawford was having an affair with another man, and that her ex-husband still loved her. She is so thrilled that she rushes to a fashionable night club where all her friends, her ex-husband, and Miss Crawford were present, and there, by means of a clever trick, makes the truth known. Realizing that she was beaten, Miss Crawford admits her guilt and agrees to a divorce. Miss Shearer and her ex-husband are joyfully reunited.

The plot was adapted from the play by Clare Boothe. Anita Loos and Jane Murnin wrote the screen play, George Cukor directed it, and Hunt Stromberg produced it. In the cast are Mary Boland, Paulette Goddard, Phyllis Povah, Joan Fontaine, Lucile Watson, and others.

Not for children. Suitable for adolescents and adults. Class B. Tempo, not too fast but action always interesting.

"Nurse Edith Cavell" with Anna Neagle

(RKO [1939-40], Sept. 29; time, 97 min.)

An artistic achievement. Supposedly based on the facts surrounding the actions and eventual death of Edith Cavell during the World War, it is actually a documentary film. But that does not lessen either its dramatic value, or its emotional appeal. It does not glorify war, nor does it try to play up heroic actions on any one's part, although what Nurse Edith Cavell and her friends did required the utmost of courage. The story has been handled with restraint, and the acting is subdued and natural. The picture, coming as it does at a time when Europe has been plunged into another war, may attract many picturegoers, even though it is not cheerful entertainment; it has no comedy relief or romance:

Nurse Edith Cavell, an Englishwoman, head of a nursing home in Brussels, receives a visit from an elderly woman (May Robson), who pleads with her to help her save her grandson, who had escaped from a German prison camp, and was hiding in his grandmother's store. In spite of the fact that the town was completely under German supervision, and that if she were caught she would be arrested, Nurse Cavell manages the escape, with the help of a Countess (Edna May Oliver) and a peasant woman (Zasu Pitts), owner of a barge. Learning that many soldiers were lying on the battlefield wounded and unable to care for themselves, Nurse Cavell, with the same assistants in addition to others, goes out to the fields and brings back as many as she can help. Since the Germans had taken over her nursing home for wounded German soldiers, she is compelled to hide her patients in the basement. Using the same plan, she and the others manage to send the men out of the country. The German Military head (Lionel Royce), having heard about the smuggling, but being unable to trace it, assigns a Captain (George Sanders) to make an investigation. By planting a spy, he finally obtains information and arrests all those involved. Nurse Cavell is sentenced to death and, despite the intervention of the British and American officials stationed in Brussels, the Germans carry out the sentence so as to teach the people discipline.

Capt. Reginald Berkley wrote the story, and Michael Hogan, the screen play; Herbert Wilcox directed and produced it. In the cast are H. B. Warner, Sophie Stewart, Mary Howard, Robert Cote, and others.

Suitability, Class A. Tempo, somewhat slow.

production budgets to meet the new conditions, and there would be no justification for a complaint by the exhibitors, for the pictures would command whatever prices they would be worth, and not the artificial prices that are set by the distributors now.

With the Neely Bill a law, economies in production will be effected automatically, for the producers, before starting the shooting of a picture, will see to it that the screen play is "fool-proof"; in other words, it will be gone over thoroughly with a view to making all the alterations needed before shooting starts, so that no alterations may be made during production, for it is in making changes during production that sends costs high. Very often, shooting starts before a screen play is even written. Under such circumstances, a picture costs three times as much as it would have cost had there been a complete screen play.

Whenever a discussion of the Neely Bill comes up between some proponent of the Bill and a distributor representative, the distributor representative always bewails the fate, not only of the independent producer-distributor, but also of the small exhibitor; he says that both will be put out of business if the Neely Bill should become a law. It is peculiar that the majors do not confine themselves to looking after their own interests instead of expressing so much concern for the interests of the independents; as long as the independents feel that they can prosper under a law that outlaws block-booking and blind-selling, the major companies should let them take care of themselves.

BOX-OFFICE PERFORMANCES OF 1938-39 SEASON'S PICTURES—No. 3 Paramount

"King of Chinatown," with Akim Tamiroff, Anna May Wong, and J. Carrol Naish; directed by Nick Grinde, from a screen play by Lillie Hayward and Irving Reis: Good-Poor.

"Midnight," with Claudette Colbert and Don Ameche; produced by Paul Jones and directed by Elliott Nugent, from a screen play by Don Hartman, Frank Butler, and Preston Sturges: Very Good-Fair.

"Sudden Money," with Charlie Ruggles and Marjorie Rambeau; produced by William C. Thomas and directed by Nick Grinde, from a screen play by Lewis Foster: Good-Poor.

"Silver on the Sage," with William Boyd and George Hayes; produced by Harry Sherman and directed by Lesley Selander, from a screen play by Maurice Geraghty: Very Good-Poor.

"I'm from Missouri," with Bob Burns and Gladys George; produced by Paul Jones and directed by Theodore Reed, from a screen play by John C. Moffitt and Duke Attberry: Very Good-Fair.

"Bulldog Drummond's Secret Police," with John Howard and Heather Angel; produced by Edmund T. Lowe and directed by James Hogan, from a screen play by Garnett Weston: Fair-Poor.

"Never Say Die," with Martha Raye and Bob Hope; produced by Paul Jones and directed by Elliott Nugent, from a screen play by Don Hartman, Frank Butler, and Preston Sturges: Good-Poor.

"Back Door to Heaven," with Wallace Ford, Stuart Erwin, and Patricia Ellis; produced and directed by William K. Howard, from a screen play by John Bright and Robert Pasker: Fair-Poor.

"The Lady's from Kentucky," with George Raft, Ellen Drew, and Hugh Herbert; produced by Jeff Lazarus and directed by Alexander Hall, from a screen play by Malcolm S. Boyland: Good-Poor.

"Union Pacific," with Joel McCrea and Barbara Stanwyck; produced and directed by Cecil B. DeMille, from a screen play by Walter De Leon, C. Gardner Sullivan, and Jesse Lasky, Jr.: Excellent-Very Good.

"Hotel Imperial," with Ray Milland, Isa Miranda, and Reginald Owen; directed by Robert Florey from a screen play by Gilbert Gabriel and Robert Thoren: Fair-Poor.

"Some Like It Hot," with Bob Hope and Shirley Ross;

directed by George Archainbaud, from a story by Ben Hecht and Gene Fowler: Fair-Poor.

"Unmarried," with Helen Twelvetrees and Buck Jones; directed by Kurt Neumann, from a screen play by Lillie Hayward and Brian Marlow: Fair-Poor.

"Stolen Life," with Elisabeth Bergner and Michael Redgrave; produced and directed by Paul Czinzer, from a screen play by Margaret Kennedy: Very Good-Poor.

"Gracie Allen Murder Case," with Gracie Allen, Kent Taylor, and Warren William, produced by George Arthur and directed by Alfred E. Green, from a screen play by Nat Perrin: Good-Poor.

"Undercover Doctor," with J. Carrol Naish, Lloyd Nolan, and Janice Logan; directed by Louis King, from a screen play by Horace McCoy and William R. Lipman: Fair-Poor.

"Invitation to Happiness," with Irene Dunne and Fred MacMurray; produced and directed by Wesley Ruggles, from a screen play by Claude Binyon: Excellent-Fair.

Forty-eight pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 1; Excellent-Fair, 1; Very Good-Good, 3; Very Good-Fair, 6; Very Good-Poor, 2; Good, 1; Good-Fair, 8; Good-Poor, 10; Fair, 2; Fair-Poor, 14.

The first forty-eight pictures in the 1937-38 season were rated as follows:

Excellent-Very Good, 1; Excellent-Good, 1; Very Good, 1; Very Good-Good, 2; Very Good-Fair, 3; Good, 3; Good-Fair, 12; Good-Poor, 6; Fair, 10; Fair-Poor, 6; Poor, 3.

RKO

"Twelve Crowded Hours," with Richard Dix and Lucille Ball; produced by Robert Sisk and directed by Lew Landers, from a screen play by John Twist: Good-Fair.

"The Saint Strikes Back," with George Sanders and Wendy Barrie; produced by Robert Sisk and directed by John Farrow, from a screen play by John Twist: Good-Fair.

"Trouble in Sundown," with George O'Brien and Rosalind Keith; produced by Bert Gilroy and directed by David Howard, from a screen play by Oliver Drake, Dorrell McGowan, and Stuart McGowan: Good-Poor.

"Almost a Gentleman," with James Ellison and Helen Wood; produced by Cliff Reid and directed by Leslie Goodwins, from a screen play by David Silverstein and Jo Pagano: Fair-Poor.

"Love Affair," with Irene Dunne and Charles Boyer; produced and directed by Leo McCarey, from a screen play by Delmar Daves and Donald Ogden Stewart: Excellent-Very Good.

"The Flying Irishman," with Douglas Corrigan, Paul Kelly, and Eddie Quillan; produced by Pandro S. Berman and directed by Leigh Jason, from a screen play by Ernest Pagano and Dalton Trumbo: Fair-Poor.

"They Made Her a Spy," with Sally Eilers and Allan Lane; produced by Robert Sisk and directed by Jack Hively, from a screen play by Michael Kanin and Jo Pagano: Good-Poor.

"Fixer Dugan," with Lee Tracy, Virginia Weidler, and Peggy Shannon; produced by Cliff Reid and directed by Lew Landers, from a screen play by Bert Granet and Paul Yawitz: Fair-Poor.

"The Rookie Cop," with Tim Holt, Virginia Weidler, and Janet Shaw; produced by Bert Gilroy and directed by David Howard, from a screen play by Jo Pagano: Fair-Poor.

"Sorority House," with Anne Shirley and James Ellison; produced by Robert Sisk and directed by John Farrow, from a screen play by Dalton Trumbo: Good-Fair.

"Panama Lady," with Lucille Ball and Allan Lane; produced by Cliff Reid and directed by Jack Hively, from a screen play by Michael Kanin: Fair-Poor.

"The Girl from Mexico," with Lupe Velez and Donald Woods; produced by Robert Sisk and directed by Leslie Goodwins, from a screen play by Lionel Houser and Joseph A. Fields: Fair-Poor.

Thirty pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 1; Excellent-Very Good, 1; Good, 1; Good-Fair, 10; Good-Poor, 5; Fair, 2; Fair-Poor, 10.

The first thirty pictures in the 1937-38 season were rated as follows:

Excellent-Good, 2; Good-Fair, 5; Good-Poor, 5; Fair, 5; Fair-Poor, 11; Poor, 2.

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MISINTERPRETING THE PURPORT OF THE NEELY BILL

Ever since the Brookhart Bill, which is the parent of the present Neely Bill, was introduced in Congress, the distributors and the exhibitor leaders whom they control have told the exhibitors that, when this Bill becomes a law, they will be deprived of the right to book more than one picture at a time, notwithstanding the clarity of the language of the Bill to the contrary.

Allied States Association and HARRISON'S REPORTS have done everything that was possible to offset this propaganda, and we have succeeded to a great extent; but there are still exhibitors who believe that, when the Neely Bill becomes a law, they will not be able to book more than one picture at a time.

With the object of setting the minds of such exhibitors at rest, I am copying that part of Section 3 of the Bill as will make it clear that the exhibitor does retain the right to book at one time as many films as he wants to.

"Sec. 3. (1) It shall be unlawful for any distributor of motion picture films in commerce to lease or offer to lease for public exhibition films in a block or group of two or more films and to require the exhibitor to lease all such films or permit him to lease none; . . . as to operate as an unreasonable restraint upon the freedom of the exhibitor to select and lease for use and exhibition only such film or films of such block or group as he may desire and prefer to procure for exhibition. . . ." (Where the first dots are, I have omitted intervening matter so as to prevent confusion, but the omission of such matter does not in any way alter the sense. The complete paragraph is reproduced at the end of this editorial.)

Notice the sentence: "as to operate as an unreasonable restraint upon the freedom of the exhibitor to select . . . ONLY such film OR FILMS . . . as he may desire . . . to procure . . . for exhibition." If the intent of the law were to forbid the exhibitor from booking more than one film at a time, it would not say "film or films"; it would have said "film."

What the law seeks to do is to forbid the distributor from making the price of each feature of the group out of proportion to the total price for the entire group with the object of compelling the exhibitor to buy the entire group of features, and thus perpetuate the monopoly; the law says that the exhibitor must retain the right to buy, at one time, one or more films—such films as will prove suitable for his needs.

With the object of preventing some opponent of the Bill from feeling that the omission alters the meaning, I am reproducing the entire first paragraph, italicizing the omitted portion for clarity:

"Sec. 3. (1) It shall be unlawful for any distributor of motion-picture films in commerce to lease or offer to lease for public exhibition films in a block or group of two or more films and to require the exhibitor to lease all such films or permit him to lease none; *or to lease or offer to lease for public exhibition films in a block or group of two or more at an aggregate price for the entire block or group and at separate and several prices for separate and several films, or for a number or numbers thereof less than the total number, which aggregate price and separate and several prices shall bear to each other such relation* (a) as to operate as an unreasonable restraint upon the freedom of an exhibitor to select and lease for use and exhibition only such film or films of such block or group as he may desire and prefer to procure for exhibition, *or (b) as tends to require an exhibitor to lease such entire block or group or forego the lease of any number or numbers thereof, or (c) that the effect of the lease or offer to lease of such films may be substantially to lessen competition or tend to create a monopoly in the production, distribution, and exhibition of films; or to lease or offer to lease for public exhibition*

films in any other manner or by any other means the effect of which would be to defeat the purpose of this Act."

Let us hope that no exhibitor will again be made to believe that, when the Neely Bill becomes a law, he will not be able to book more than one film at a time.

In reference to Section 4, which makes it unlawful for the distributor to offer to the exhibitor for sale a picture unless such distributor first submits to him an accurate synopsis of the contents of the film, allow me to say that this requirement will prove the salvation of the producers, for when the distributors are compelled to furnish such a synopsis they will be ashamed of themselves to put into pictures some of the junk stories they have been putting into them, or to remake pictures indiscriminately. Such a requirement will prove helpful also in cutting down the cost of production by having, as has repeatedly been said in these columns, a complete screen play before starting production; it is in making changes during production that the cost is run high.

FALSE ECONOMY

The Hollywood trade journals convey the information that some studios, in an effort to cut down the overhead expense, have discharged many employees, and have cut down the salaries of some of the others.

Perhaps the discharge of some of the employees was justified on the ground that the work could be carried on without them, but there is also no doubt that, in the case of some studios, it was merely the effect of the panic that seized executives.

Discharging employees whose salaries are small and piling down the salaries of other such employees is not real economy; the combined savings from such a source will not reduce studio overhead to any appreciable extent. To effect real economy, there should be a reduction of—

- (a) The highly-paid stars.
- (b) The highly-paid directors.
- (c) The highly-paid authors.
- (d) The highly-paid executives, and there should be
- (e) A discontinuance of paying for stage plays prices such as \$100,000 and as high as \$250,000.

Some studio people may object to the suggestion that the salaries of stars be reduced, on the ground that, what these artists receive, they earn. Unfortunately, such is not always the case. Experience has proved that some pictures of a star do not draw one-half as many people as other pictures of the same star. The difference in box-office appeal is the result of the difference in the story quality, and often even in the attractiveness of the title itself.

It is hardly necessary for this paper to cite examples; every one of you knows that such is the case. This proves that, what Shakespeare said centuries ago about the play's being "the thing" is as true today as it was then, and as true of motion pictures as is and always has been of stage plays.

Since it is the story that determines the value of a picture to the box office, it follows that the players are of subordinate importance to the story. Consequently, a producer should reduce the salaries of stars to take care of the present emergency.

What is true of the stars is true of the directors: if the director is given a good story, he can make a box office picture; if the story is poor, no matter how fine is his direction it will be of no avail, unless he is able to make such story alterations as will improve it.

As to the studio executives, much could be said to prove that most of them are not entitled to receive what they are receiving. Even those who are entitled to the salaries they are now receiving could reduce them considerably in this emergency. Already Darryl Zanuck and Joseph M. Schenck

(Continued on last page)

"Two Bright Boys" with Jackie Cooper, Freddie Bartholomew and Melville Cooper

(Universal, September 15; time, 70 min.)

A fairly good program entertainment. It mixes melodrama with comedy and human appeal, and, for the most part, holds one's attention pretty well. The characters portrayed by Freddie Bartholomew and Melville Cooper are somewhat on the shady side; but, since they both give good performances, one cannot help sympathizing with them. The closing scenes, where they redeem themselves, are far-fetched, but that is incidental; the important thing is that there is excitement as well as comedy:—

Melville Cooper and his son (Freddie Bartholomew), impoverished Englishmen travelling in America, strike up an acquaintance on a train with Alan Dinehart, oil king. By leading Dinehart to believe that Melville was the head of a large English bank, they manage to obtain an invitation to Dinehart's private car, where Melville engages in a poker game with Dinehart and his friends. Having noticed the signals that Freddie was giving to Melville, who was a heavy winner, Dinehart realizes they were crooks, and throws them out. Dinehart was having trouble with Jackie Cooper, who owned valuable oil property, but who refused to sell it to Dinehart. Knowing that Jackie would have nothing to do with him, Dinehart engages Melville and Freddie to help him out, threatening them with arrest if they refused to do so. Melville, by again posing as a banker, wins Jackie's confidence, as well as the admiration of his widowed mother (Dorothy Peterson). He gives them a loan for which he receives a note, which note he is compelled to turn over to Dinehart, who hoped to use it to foreclose on the property. But Melville and his son work along with Jackie in an attempt to bring in the oil before the note would fall due. Dinehart orders his men to break up the equipment, during which Jackie's good friend and assistant (J. M. Kerrigan) is killed. It is then that Jackie finds out about Melville. He orders him off his property. But Melville buys equipment in Dinehart's name, and in company with a crew rushes to Jackie's assistance. They bring in the oil in time to outwit Dinehart. All is forgiven. Melville is taken into custody for having issued a false check, but Jackie promises to get him out. Miss Peterson plans to marry Melville upon his release.

Val Burton and Edmund L. Hartmann wrote the screen play, Joseph Santley directed it, and Burt Kelly produced it. In the cast are Willard Robertson, Eddie Acuff, and others.

Not for children. Suitable for adolescents and adults. Class B. Action, fast.

"No Place to Go" with Dennis Morgan, Fred Stone and Gloria Dickson

(First National [1939-1940], Sept. 23; time, 56 min.)

A mild program offering. It is doubtful if any but elderly persons will enjoy it, for it deals with a theme that touches them directly. The action is slow and hardly ever becomes exciting enough to awaken one's interest; moreover, spectators are familiar with stories of this type. It has some human appeal, due to the sympathy one feels for Fred Stone, who is out of place in his married son's home. There is no romance:—

Dennis Morgan, conscience-stricken because of the fact that he lived comfortably while his father (Fred Stone) lived at the Veteran's Home for the Aged, wins the consent of his wife (Gloria Dickson) to bring his father into their home. He writes to Stone, leading him to believe that he needed him. Stone arrives, and not having anything to do, makes a general nuisance of himself around the house, causing the hired help to leave. Miss Dickson is frantic, but restrains her temper. Stone becomes acquainted with a young boy (Sonny Bupp), who earned his living shining shoes. Bupp innocently tells his thieving uncle that Stone kept a large sum of money in his trunk; the uncle sneaks into the house and steals the money. Stone is frantic when he finds that the money had disappeared; he thinks Sonny had stolen it. But he finds out the truth, and, with the help of his old cronies, forces the crook to return the money. Having overheard Miss Dickson complain about his presence in the house, Stone decides to join a home for aged gentlemen. He leads Morgan and his wife to believe that he would be happier there, and in a way he would, for there he could do as he pleased, and have friends of his own age.

The plot was adapted from a play by George S. Kaufman and Edna Ferber; Lawrence Kimball, Fred Niblo, Jr., and Lee Katz wrote the screen play, Terry Morse directed it, and Bryan Foy produced it. In the cast are Bernice Pilot, Greta Meyer, Georgia Caine, and others.

Suitability, Class A. Tempo, slow.

"Blackmail" with Edward G. Robinson

(MGM, September 8; time, 81 min.)

This is an exciting melodrama, although some sensitive persons may find it a little hard to take. The cruelties practiced on prisoners in chain gangs are vividly portrayed, and are particularly harrowing because the hero, a victim of the system, is known by the spectator to be innocent. One is, however, held in tense suspense, for the action builds up to a powerful climax in which the hero is finally vindicated. There are side attractions to thrill the spectator, such as oil well fires and the bravery displayed by men in fighting them. Several situations touch one's emotions because of the suffering of the hero:—

Edward G. Robinson, who had built up a successful oil-well fire fighting business, is happy with his wife (Ruth Hussey) and child (Bobs Watson). But the arrival of Gene Lockhart changes everything; Lockhart, a former friend, knew that Robinson had been arrested for a robbery, and had been sentenced to a chain gang from which he had escaped. He denies any blackmailing intentions, asking only for a position. But finally he approaches Robinson with what he really wanted; he confesses that he himself had committed the robbery, and offers to give Robinson a written confession for a large sum of money, part to be given in cash and the other part in notes secured by a mortgage on an oil well belonging to Robinson. They send letters to each other, enclosing what each wanted. But Lockhart had placed a used stamp on his letter and the letter is, therefore, returned to him. Robinson realizes too late that he had been tricked. Lockhart gives Robinson away to the police. Robinson is arrested and sent back to the chain gang. During his absence, Lockhart takes possession of the oil well, which brings him wealth. Robinson again escapes. By setting fire to the well, he brings Lockhart into the open. There, by means of threatening to throw him into the burning well, Robinson forces Lockhart, in the presence of police, to confess. Robinson is finally cleared and is joyfully reunited with his family.

Endre Bohem and Dorothy Yost wrote the story, and Dave Hertz and William Ludwig, the screen play; H. C. Potter directed it, and J. W. Considine, Jr., produced it. In the cast are Guinn Williams, John Wray, Arthur Hohl, Ruth Hussey, Gene Lockhart, and others.

Too strong for children. Suitable for adolescents and adults. Class B.

"Hero for a Day" with Dick Foran, Anita Louise and Charles Grapewin

(Universal, October 6; time, 66 min.)

A moderately entertaining program picture. The story is ordinary, and the action is rather leisurely. Football is a minor issue, and not much footage is given over to it. The game played in the closing scenes is fairly exciting—not until the last minute to play does the hero's team win. Although one feels some sympathy for Charles Grapewin, the character he portrays is a bit weak, and so one does not follow his actions with very much interest. The routine romance is mildly pleasant:—

When Grapewin learns that his alma mater had been invited to play a championship football game against one of the big Eastern colleges, he is overjoyed. He had been in his day a football player of renown and a popular student; every one had predicted a brilliant future for him, but he had ended up by being a night watchman for a construction company. The two children (Anita Louise and David Holt) of his sister, with whom he lived, planned to go to the game with him. Richard Lane, a publicity agent, who had been appointed to awaken interest in the game, learns about Grapewin's being a graduate of the western college. Taking him for a wealthy man, he induces him to meet the players upon their arrival. Miss Louise, posing as Grapewin's daughter, suggests that he go through with the plans. Backed by Miss Louise's employer (Berton Churchill), a sports enthusiast, Grapewin is able to carry the deception through. Dick Foran, the star player, and Miss Louise fall in love with each other. Annoyed at what the sports writers had said about his being conceited, Foran goes out on a spree the night before the game; Grapewin brings him to his senses. On the day of the game, the truth about Grapewin becomes known. Nevertheless, he inspires the team to victory; but the excitement overcomes him and he is taken to the hospital. The coach of his college team offers him a post on the athletic board, which he gladly accepts.

Matt Taylor wrote the story, and Harold Buchman, the screen play; Harold Young directed it, and Ken Goldsmith produced it. In the cast are Emma Dunn, Samuel S. Hinds, and others.

Suitability, Class A.

**"The Rains Came" with Myrna Loy,
Tyrone Power and George Brent**

(20th Century-Fox, September 15; time, 103 min.)

An impressive cast, excellent production values, and an interesting story combine to make this a strong box-office attraction. The masses will be drawn by the popular star names, and class audiences, by the fame of the novel from which the picture was adapted. But it is in the mechanical end where the picture excels. The earthquake scenes, accompanied by a torrential downpour, are so realistic and thrilling that the spectator is awed by them. For instance, one sees streets suddenly caving in, forming pits into which people fall; buildings breaking up, and finally a dam bursting, flooding the countryside, thereby causing havoc. There are two romances, both handled with restraint. The one involving Myrna Loy and Tyrone Power is the more powerful, for it brings about the regeneration of Miss Loy, who is at first presented as a calloused, thrill-seeking woman. Her death touches one:—

George Brent, son of an English earl, and a portrait painter by profession, settles in Ranchipur, India, where he drinks to his heart's content and lives a lazy life. Brenda Joyce, young and beautiful, falls in love with him and tries to force her attentions on him, but he treats her like a child. At a reception given by the Maharajah (H. B. Warner), Brent is surprised to meet an old sweetheart (Miss Loy), now married to wealthy, boorish Nigel Bruce. Bored by her existence, she tries to revive the old flame, but Brent is not willing. Then her attention focuses on Power, a brilliant young Hindu surgeon. What started out as a flirtation develops into a passionate love affair. An earthquake and flood brings havoc to the countryside. Bruce is among those killed. Miss Loy, completely regenerated, devotes all her time to working at the hospital, caring for patients who were suffering from the plague that had broken out. The Maharani (Maria Ouspenskaya), knowing that, since the Maharajah had died, Power would have to take his place as head of the government, asks Brent to send Miss Loy away; but she refuses to go. While working at the hospital, Miss Loy accidentally drinks from a glass that had been used by one of the plague patients. She becomes very ill; but she dies happy, knowing that Power loved her as sincerely as she loved him. Brent who, too, had changed, finally marries Miss Joyce. Power takes his place as head of the government.

The plot was adapted from the novel by Louis Bromfield; Philip Dunne and Julien Josephson wrote the screen play; Clarence Brown directed it, and Harry Joe Brown produced it. In the cast are Joseph Schildkraut, Mary Nash, Jane Darwell, Marjorie Rambeau, Henry Travers, and others.

Suitability, Class A. Tempo, not too fast but always absorbing.

**"Ruler of the Seas" with
Douglas Fairbanks, Jr.**

(Paramount, November 24; time, 96 min.)

Although this is a finely produced picture, offering excellent performances and an interesting story of the development of the steam engine for ocean liners, its appeal will be directed mostly to class audiences. As far as the masses are concerned, the players, with the exception of Douglas Fairbanks, Jr., are not strong box-office names; moreover, the Scottish dialect may prove disconcerting, for there are times when it is a bit difficult to understand what is being said. The action, although absorbing, moves at a somewhat slow pace, that is, except for the opening and closing scenes, which provide plentiful thrills. The thrills in the beginning are caused by the fight waged by sailors during a storm at sea; and in the end, by the thrilling fight of the crew to bring the first ocean-going steam liner into port. Although the love interest is incidental, it is portrayed charmingly by hero and heroine.

The story revolves around two men, Will Fyffe, the inventor of the steam engine for ocean liners, and Douglas Fairbanks, Jr., a sailor, who had great faith in the engine and was finally able to induce men of wealth to test it. They eventually prove the sea-worthiness of the engine, but in doing so, Fyffe loses his life in an accident. Fairbanks and Fyffe's daughter (Margaret Lockwood) fall in love with each other.

Talbot Jennings, Frank Cavett and Richard Collins wrote the story and screen play; Frank Lloyd directed and produced it. In the cast are Montague Love, David Torrence, Lester Matthews, and others.

Suitability, Class A.

**"Honeymoon in Bali" with Madeleine
Carroll and Fred MacMurray**

(Paramount, September 29; time, 95 min.)

This sophisticated comedy-drama is very good class entertainment; it has a lavish production, witty dialogue, and very good performances. It may go over with the masses, too, because the story is highly romantic and has human appeal. At times, the dialogue is quite suggestive; but so amusing is it that one cannot take offense. There are a few situations that touch one's emotions; these are caused by the devotion the heroine shows for a young orphan child. Two songs, sung by Allan Jones, are interpolated cleverly and do not slow up the action:—

Madeleine Carroll, an extremely successful manager of a Fifth Avenue store, meets and falls in love with Fred MacMurray, a charming young man who was visiting New York; he worked in Bali. Having fallen madly in love with Miss Carroll, he tries to induce her to marry him, for he felt that love was more important than success; she tries to resist him, feeling that it would be wrong to give up the luxurious life she had planned and worked for. Young Carolyn Lee, a little girl who had been left in MacMurray's care when her parents had died, wins Miss Carroll's love; she induces MacMurray to allow her to keep the child for a time. MacMurray eventually demands a definite answer from Miss Carroll and, when she again refuses him, he takes Carolyn and goes back to Bali. Miss Carroll becomes ill; when she recovers she goes to Bali, ready to give up everything for MacMurray. Upon her arrival she learns that MacMurray was to be married the following day to his employer's daughter (Ona Massen); she naturally leaves. Back in New York, she decides to marry Allan Jones, an opera singer, who had loved her for a long time. But her plans are upset again when MacMurray arrives with Carolyn; she then learns that he had not been married. She and MacMurray are joyfully united.

The plot was adapted from stories by Grace Sartwell Mason and Katharine Brush. Virginia VanUpp wrote the screen play, Edward H. Griffith directed it, and Jeff Lazarus produced it. In the cast are Akim Tamiroff, Helen Broderick, Astrid Allwyn, and others.

Not for children, but suitable for adolescents and adults. Class B. It moves at a fairly fast pace.

**"The Escape" with Amanda Duff,
Kane Richmond and Edward Norris**

(20th Century-Fox, October 6; time, 54 min.)

This melodrama, which is told in flashback, is strictly adult fare, for its theme is demoralizing. An attempt is made to glorify a character who, until the closing scenes, is shown to be a criminal without any redeeming traits. Another character, a young boy, is shown pursuing a criminal career in order to obtain easy money. The picture hasn't even got the exciting quality that gangster pictures usually have, for the pace is leisurely. The story is also depressing, because of the sordid background. The romance is of little help:—

Edward Norris returns from prison a hardened criminal. In spite of the efforts of his father (Henry Armetta) to help him, Norris prefers a life of crime. He is enraged when his sister (Amanda Duff) announces her engagement to Kane Richmond, a policeman. He tells her that he had been the one who had killed Richmond's father in a holdup; when she hears this, she naturally breaks the engagement without telling Richmond anything. The daughter (June Gale) of one of the neighbors, who had been secretly married to Norris, tells him that, while he was in prison, she had given birth to their child, but that she had put the child in an institution until such time as Norris could prove himself worthy of being a father. A young nephew of Miss Gale's, who had been keeping bad company, steals a fur neckpiece from the warehouse where his older brother worked. He tells Norris how easy it was. Norris and his pals plan to rob the warehouse. But Norris is caught, while the others get away. He learns that his pals had kidnapped the district attorney's child in order to compel him to bargain with them. Learning from Miss Gale that the kidnapped child was their own, having been adopted by the district attorney, Norris induces Richmond to accompany him to the hideout. In a fight with the gangsters, Norris, as well as the others, is killed. Richmond saves the child. Since Norris had admitted before he died that he had not killed Richmond's father, Miss Duff feels free to marry Richmond.

Robert Ellis and Helen Logan wrote the original screen play, Ricardo Cortez directed it, and Sol M. Wurtzel produced it. Frank Reicher, and others are in the cast.

Unsuitable for children and adolescents. Adult fare. Class B.

have set the example by cutting down their salaries; that is, if the report published in Hollywood papers is true.

About the \$100,000 to \$250,000 payment for stage plays, no stage play has ever been worth so much to a picture.

If the studios should hope to reduce their overhead, they should, as said, reduce the salaries of the aforementioned persons; reducing the salaries of scrub women and of janitors will not effect real economy.

Incidentally, the information that was printed in last week's HARRISON'S REPORTS to the effect that the major producers had decided to abandon the million dollar productions is true; I have obtained a verification of it from an unimpeachable authority. They may have reconsidered their decision now because of the furor that has been created in the industry as a result of that decision, but it was true originally; these producers have been made to realize how disastrous it would be if they should carry out their original decision.

Let us hope that the studios will effect real economy, and that the exhibitor will be the beneficiary of it in part.

BOX-OFFICE PERFORMANCES OF 1938-39 SEASON'S PICTURES—No. 4 Twentieth Century-Fox

"Charlie Chan in Honolulu," with Sidney Toler, Phyllis Brooks, and John King; produced by John Stone and directed by H. Bruce Humberstone, from a screen play by Charles Belden: Good-Fair.

"Mr. Moto's Last Warning," with Peter Lorre, Ricardo Cortez, and Virginia Field; produced by Sol M. Wurtzel and directed by Norman Foster, from a screen play by Philip MacDonald and Norman Foster: Good-Poor.

"Smiling Along," with Gracie Fields; produced by Robert T. Kane and directed by Monty Banks, from a screen play by William Conselman: Good-Poor.

"Jesse James," with Tyrone Power, Henry Fonda, Randolph Scott, and Nancy Kelly; produced by Nunnally Johnson and directed by Henry King, from a screen play by Nunnally Johnson: Excellent.

"The Arizona Wildcat," with Jane Withers and Leo Carrillo; produced by John Stone and directed by Herbert I. Leeds, from a screen play by Barry Trivers and Jerry Cady: Good-Fair.

"Tailspin," with Alice Faye, Nancy Kelly, and Constance Bennett; produced by Harry Joe Brown and directed by Roy Del Ruth, from a screen play by Frank Wead: Very Good-Fair.

"The Three Musketeers," with Don Ameche, the Ritz Brothers, and Binnie Barnes; produced by Raymond Griffith and directed by Allan Dwan, from a screen play by M. M. Musselman, William A. Drake, and Samuel Hellman: Good-Fair.

"Pardon Our Nerve," with Lynn Bari, June Gale, and Michael Whalen; produced by Sol M. Wurtzel and directed by H. Bruce Humberstone, from a screen play by Robert Ellis and Helen Logan: Fair-Poor.

"Wife, Husband and Friend," with Warner Baxter, Loretta Young, and Binnie Barnes; produced by Nunnally Johnson and directed by Gregory Ratoff, from a screen play by Nunnally Johnson: Very Good-Fair.

"Inside Story," with Michael Whalen and Jean Rogers; produced by Howard J. Green and directed by Ricardo Cortez, from a screen play by Jerry Cady: Fair-Poor.

"The Little Princess," with Shirley Temple, Richard Greene, and Anita Louise; produced by Gene Markey and directed by Walter Lang, from a screen play by Ethel Hill and Walter Ferris: Very Good-Fair.

"Everybody's Baby," with Jed Prouty, Shirley Deane, and Russell Gleason; produced by John Stone and directed by Malcolm St. Clair, from a screen play by Karen DeWolf, Robert Chapin, Frances Hyland, and Albert Ray: Good-Fair.

"The Hound of the Baskervilles," with Richard Greene, Basil Rathbone, and Wendy Barrie; produced by Gene Markey and directed by Sidney Lanfield, from a screen play by Ernest Pascal: Very Good-Fair.

"Mr. Moto in Danger Island," with Peter Lorre, Jean Hersholt, and Warren Hymer; produced by John Stone and directed by Herbert I. Leeds, from a screen play by Peter Milne: Fair-Poor.

"The Story of Alexander Graham Bell," with Don Ameche, Loretta Young, and Henry Fonda; produced by Kenneth Macgowan and directed by Irving Cummings, from a screen play by Lamar Trotti: Very Good-Fair.

"Winner Take All," with Tony Martin, Gloria Stuart, and Henry Armetta; produced by Jerry Hoffman and directed by Otto Brower, from a screen play by Frances Hyland and Albert Ray: Fair-Poor.

"Inspector Hornleigh," with Gordon Harker and Alastair Sim; directed by Eugene Forde, from a screen play by Bryan Wallace: Fair-Poor.

"Return of the Cisco Kid," with Warner Baxter, Robert Barrat, and Lynn Bari; produced by Kenneth Macgowan and directed by Herbert I. Leeds, from a screen play by Milton Sperling: Good-Fair.

"Climbing High," with Jessie Matthews and Michael Redgrave; directed by Carol Reed, from a screen play by Lesser Samuels: Fair-Poor.

"Chasing Danger," with Preston Foster, Lynn Bari, and Henry Wilcoxon; directed by Ricardo Cortez, from a screen play by Robert Ellis and Helen Logan: Fair-Poor.

"Rose of Washington Square," with Alice Faye, Tyrone Power, and Al Jolson; produced by Nunnally Johnson and directed by Gregory Ratoff, from a screen play by Nunnally Johnson: Very Good-Good.

"Boy Friend," with Jane Withers, Arleen Whelan, and Richard Bond; produced by John Stone and directed by James Tinling, from a screen play by Joseph Hoffman and Barry Trivers: Good-Poor.

"The Gorilla," with the Ritz Brothers, Bela Lugosi, Lionel Atwill, and Patsy Kelly; produced by Harry Joe Brown and directed by Allan Dwan, from a screen play by Rian James and Sid Silvers: Good-Poor.

"The Jones Family in Hollywood," with Jed Prouty and Spring Byington; produced by John Stone and directed by Malcolm St. Clair, from a screen play by Harold Tarshis: Good-Fair.

"Young Mr. Lincoln," with Henry Fonda and Alice Brady; produced by Kenneth Macgowan and directed by John Ford, from a screen play by Lamar Trotti: Excellent-Good.

"Charlie Chan in Reno," with Sidney Toler, Ricardo Cortez, and Phyllis Brooks; directed by Norman Foster, from a screen play by Frances Hyland, Albert Ray, and Robert E. Kent: Good-Poor.

"Susannah of the Mounties," with Shirley Temple, Randolph Scott, and Margaret Lockwood; produced by Kenneth Macgowan, directed by William A. Seiter, from a screen play by Robert Ellis and Helen Logan: Good-Fair.

Sixty-one pictures have been released. Grouping the pictures of the different ratings, including two Gaumont-British pictures, from the beginning of the season, we get the following results:

Excellent, 3; Excellent-Good, 2; Very Good-Good, 3; Very Good-Fair, 6; Very Good-Poor, 2; Good-Fair, 19; Good-Poor, 12; Fair, 3; Fair-Poor, 11.

Fifty-seven pictures were released in the 1937-38 season. They were rated as follows:

Excellent, 2; Excellent-Very Good, 2; Excellent-Good, 2; Very Good-Good, 7; Very Good-Fair, 2; Very Good-Poor, 1; Good-Fair, 21; Good-Poor, 8; Fair, 7; Fair-Poor, 4; Poor, 1.

United Artists

"Prison Without Bars," with Edna Best; produced by Alexander Korda and directed by Brian D. Hurst, from a screen play by Arthur Wimperis: Good-Poor.

"Wuthering Heights," with Merle Oberon, David Niven, and Laurence Olivier; produced by Samuel Goldwyn and directed by William Wyler, from a screen play by Ben Hecht and Charles MacArthur: Excellent-Good.

"Zenobia," with Oliver Hardy, Harry Langdon, Billie Burke, and Alice Brady; produced by Hal Roach and directed by Gordon Douglas, from a screen play by Corey Ford: Good-Poor.

"Captain Fury," with Brian Aherne, Victor McLaglen, and June Lang; produced and directed by Hal Roach, from a screen play by Grover Jones, Jack Jevne, and William DeMille: Very Good-Fair.

Fifteen pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Good, 2; Very Good, 1; Very Good-Good, 2; Very Good-Fair, 2; Good, 4; Good-Fair, 2; Good-Poor, 2.

The first fifteen pictures in the 1937-38 season were rated as follows:

Excellent-Very Good, 4; Excellent-Good, 1; Very Good-Good, 1; Good, 2; Good-Fair, 1; Good-Poor, 1; Fair, 3; Fair-Poor, 1; Poor, 1.

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MGM SECOND COMPANY TO ADOPT CODE

Metro-Goldwyn-Mayer has just announced that it has granted to the exhibitors most of the reforms that had been incorporated in the rejected Code.

The following are the reforms that MGM has offered to its contract holders:

(1) No forcing of shorts, newsreels or trailers if the exhibitor should want only the features. To those who do lease these units, the weekly-payment plan is optional.

(2) A score charge will not be made on any 1939-40 season's contracts, even if the exhibitors signed such contracts subsequently to January 1, 1939.

(3) It will sell its pictures to any exhibitor provided the company's revenue from any prior run is not affected seriously.

(4) No designation of play-dates on pictures leased on a percentage-with-minimum-guarantee basis.

(5) It will permit the exhibitor to cancel any picture that might prove objectionable or offensive to his customers on religious, moral, or racial grounds, provided that the claim for such an exclusion is legitimate.

(6) The unrestricted privilege of cancelling 20% of the feature pictures if the average cost per picture does not exceed \$100; 15%, if the average exceeds \$100 but not \$250; and 10%, if such average is in excess of \$250.

(7) Full consideration to be given to a customer's request for the interchanging of a picture that he may deem unsuitable for preferred-time showing.

(8) Permission to an exhibitor to lease a lesser number of feature pictures if such exhibitor's prior requirements should make it impossible for him to lease all the MGM feature pictures.

(9) A conscientious review of an exhibitor's complaint on clearance and overbuying, with an attempt to adjust such a complaint under the limitations of lack of means to enforce such an adjustment. In other words, if a prior-run exhibitor should demand clearance that is considered by the complaining exhibitor unreasonable, or if an exhibitor has bought more pictures than he needs with the purpose of shutting the complaining exhibitor out of his share of the product, MGM promises to employ its influence to induce the unfair exhibitor to give up some of his MGM product, or to modify his clearance, but the company has no means by which it could compel the unjust exhibitor to do so.

MGM is now preparing a new contract form to embody these concessions. The new form will contain an optional arbitration clause similar to that which was contained in the old form.

A Rider will be sent to all those who have already signed a contract for the 1939-40 season's product, even as far back as January 1, which Rider they may sign if they should wish to operate under the new contract form.

* * *

From the point of view of such exhibitors as have already signed a contract for the 1939-40 season's product, some of the reforms that have been offered, by MGM as well as by Warner Bros., need clarification. The number of pictures each class of exhibitors will have the right to cancel from each group, for example, needs such clarification. If the number of pictures a group contains is for instance, 10, an exhibitor of the \$100 price average per picture class will have no difficulty in determining how many pictures he will have the right to cancel. But suppose that the group contains a lesser number! It is then when a clarification is needed. The same is true of the other classes of exhibitors.

Another clarification is needed in the matter of shorts, newsreels and trailers. Suppose an exhibitor has already

contracted for them along with the features, but feels that he was compelled to do so out of fear of losing the features: after signing the Rider, will he have the right to cancel them, or as many of them as he desires?

This office will endeavor to obtain a clarification of these points from the home offices of these two companies, and of whatever other companies may announce the adoption of similar reforms, and will publish them in these columns. I am sure that the distributors should wish to clarify these matters so as to avoid creating new dissatisfactions.

WRONG, MR. HAYS!

Speaking to the members of the Regional Trust Company Conference of the Pacific Coast, which convened in Los Angeles last week, Mr. Will H. Hays, president of the motion picture producers' organization, criticized the Federal Government on the ground that it harassed the motion picture industry by its many lawsuits. He hit particularly at Allied when he said, "If two or more groups are in competition and one is seeking to gain advantage over the other by Government regulation, then it is clearly not the business of the government to take sides. The power of the government should never be used to enable one citizen to exploit another, or to give one branch of an industry undue advantage over another."

In another part of his speech, Mr. Hays said:

"It is not always easy to tell when a business enterprise is engaging in practices which result in more public harm than in public good. It is a bad thing for the consumer if one individual or group of individuals gets a monopolistic corner on a commodity and forces the prices up. It was to regulate this practice that our anti-trust laws were enacted. But a curious paradox has ensued. It often happens that the larger the concern the lower is the price to the public. So in terms of the consumer's good, a monopoly is good or bad, not because it is big and powerful, but because it respects or disregards the public interest. Size is not sinfulness. . . ."

Mr. Hays is right when he says that size is not sinfulness, but he is wrong when he complains that the major motion picture producer-distributors have been brought before the courts only because they are big; they have been brought before the judicial tribunals, not because they are big, but because they are bad. This has been demonstrated repeatedly by the many judicial condemnations in their debit column: starting with the case of *Binderup v. Pathe Exchanges, Inc.*, case after case may be cited to show that the major companies have been bad. In the Credit Committee and the Arbitration cases, the U. S. Supreme Court said that they were bad—that they had conspired to do wrong.

Here are a few more cases:

STANDARD CONTRACT CONSPIRACY: *United States v. Paramount Famous Players Lasky Corporation* (34 F. (2d) 984); *Fox Film Corporation v. Muller* (296 U. S. 207).

CONSPIRACY REGARDING PROTECTION: *Youngclaus v. Omaha Film Board of Trade*; *First National Pictures, Inc., v. Robinson*; *United States v. Interstate Circuit*; *United States v. Balaban & Katz* (Consent Decree); *United States v. West Coast Theatres* (Consent Decree); *United States v. Fox-West Coast Theatres* (Consent Decree).

CONSPIRACY REGARDING DOUBLE FEATURES: *Perelman v. Warner Bros. Pictures, Inc.*

CONSPIRACY TO BOYCOTT: *Paramount Famous Lasky Co. v. Stinnett* (Texas); *Peckskill Theatre, Inc. v. Advance Theatrical Co.* (Loew's executives); *United States v. Warner Bros. Pictures, Inc.* (D.C.S.D. N.Y.—Consent Decree).

(Continued on last page)

"Sky Patrol" with John Trent and Marjorie Reynolds

(Monogram, Sept. 12; time, 60 min.)

As in the other two "Tailspin Tommy" pictures, this one offers plentiful action for the fans. Although the story is somewhat far-fetched, it holds one's interest and holds one in suspense, for what it lacks in plausibility is made up for in fast and exciting action. The same players who appeared in the two previous pictures appear in the leading parts here also:—

John Trent and his pal (Milburn Stone) train young men for government sky patrol duty. The commander is grateful to Trent for having covered up the cowardice of his son (Jackie Coogan) during his examination flight; but Trent had done so because he felt that once Coogan got over the fright of handling guns he would be all right. Word comes to the commander that a gang was conducting a smuggling racket; he assigns his men to different sections to report suspicious characters. Coogan, flying over one of the sections, orders a suspicious plane to report to him; instead they force him down, capture him, and hold him captive on a boat with which they had been working in the smuggling racket. Trent and Stone set out to investigate when Coogan fails to appear. Their trail leads them to the boat; they purposely permit themselves to be captured, so as to find out if Coogan was on the boat. The gang leader orders Trent to send a message to his commander to withdraw his men; Trent does so, but at the same time he taps out a code message giving his whereabouts. The patrol men arrive in time to save their three comrades, who had jumped from the boat just before it had blown up.

Hal Forrest wrote the story, and Joseph West and Norton S. Parker, the screen play; Howard Bretherton directed it, and Paul Malvern produced it. In the cast are Jason Robard, Boyd Irwin, Bryant Washburn, and others.

Suitability, Class A.

"Thunder Afloat" with Wallace Beery, Chester Morris and Virginia Grey

(MGM, September 15; time, 94 min.)

Not only is the subject matter of this picture timely, but it offers patrons a rousing melodrama, centering around submarine warfare; it should hold audiences in tense suspense throughout. There is plentiful comedy, which results from the conflict between Chester Morris and Wallace Beery, due to Beery's inability to take orders. Considering war conditions today, picture patrons will most likely be interested in the story, for it shows the methods employed in fighting the German submarines during the World War. It also serves as good propaganda for the U. S. Navy, accomplishing its purpose without preachment; instead, the action emphasizes the bravery of the Navy men. The romance is developed logically, but it plays a small part in the plot:—

Wallace Beery, a tugboat Captain, and his daughter (Virginia Grey), convinced that Chester Morris, rival tugboat owner, had scuttled their boat so as to get an important contract for himself, trick him into joining the Navy. But when Beery's refloated tugboat, with its cargo, is sunk by a German submarine, he becomes so enraged that he decides to join the Navy himself and single-handed fight the Germans. Conflict arises when he is assigned to the fleet commanded by Morris, for he refuses to take orders. Being in command of one of the sub-chasers, Beery leaves formation without orders and goes in search of a submarine himself. He is successful in locating it but, although he bombed it, he did not sink it; he is injured. For his insubordination, he is demoted to ordinary seaman. Disgusted, he tries to desert, but Morris prevents him from doing so. Morris orders him to accompany him and other Navy men on a dangerous mission on board a fishing boat, which was to act as a decoy for a sub-chaser. The submarine Captain learns of their identity and starts firing at them. Beery is captured and taken aboard the submarine, but Morris and some of the men get away and are picked up by the sub-chasers that had been called to the vicinity. The submarine submerges and is brought to rest on the bottom of the sea so as to conceal its position; but Beery taps with a heavy wrench, and the U. S. Navy men start firing, forcing the submarine up. Beery is saved, and the Germans captured; the submarine is then sunk. Beery is decorated. Morris and Miss Grey, who had fallen in love, take leave of each other, for Beery and Morris had been ordered to sail with convoy ships.

Ralph Wheelwright and Com. Harvey Haislip wrote the story, and Com. Haislip and Wells Root, the screen play; George B. Seitz directed it, and J. Walter Ruben produced

it. In the cast are Douglas Dumbrille, Regis Toomey, and others.

Suitability, Class A. Action, fast.

"What a Life" with Jackie Cooper and Betty Field

(Paramount, October 6; time, 78 min.)

An entertaining program picture; it should fit in well as a second feature. Since it revolves around high school students, with all the action taking place at the school, it should please the juvenile trade. The action and characterizations may amuse adults, too, particularly parents who have gone through the troubles that the hero's mother goes through. Most of the laughter is provoked by Jackie Cooper, who is constantly getting into trouble, from which he finds it difficult to extricate himself. Cooper plays the leading part naturally, thereby winning one's sympathy:—

Cooper, a high school student, tries to keep out of trouble but is constantly in trouble due to the scheming of another student (James Corner), a bully, who managed to get away with everything because of his high scholastic rating. Cooper is not a good student; his talents lay in drawing, which his parents disapproved of, for they wanted him to be a brilliant student, as had been his father. The only sympathy Cooper gets is from Betty Field. Knowing that his mother would not permit him to go to the spring dance with Miss Field unless he passed his history examination with high marks, Cooper, who knew nothing about the subject, copies from Corner's paper. But the teacher discovers the deception and gives Cooper a zero mark in the subject. To add to his troubles, Cooper is accused of having stolen and pawned the musical instruments of the school band. After a lecture from John Howard, the assistant principal, who urged him to assert himself, Cooper becomes a fighter. Knowing that Corner had pawned the instruments, he confronts him at the school dance and forces the truth out of him. His name cleared, Cooper is accepted by every one, and goes to the dance with Miss Field. Howard arranges to have him transferred to an art school.

The plot was adapted from the play by Clifford Goldsmith; Charles Brackett and Billy Wilder wrote the screen play, and Jay Theodore Reed directed and produced it. In the cast are Janice Logan, Vaughan Glaser, Lionel Stander, Hedda Hopper, Dorothy Stickney, Lucien Littlefield, and others.

Suitability, Class A. Action, at times a little slow.

"Konga, the Wild Stallion" with Fred Stone and Rochelle Hudson

(Columbia, August 30; time, 65 min.)

Pretty good program entertainment for followers of outdoor melodramas, particularly for those who enjoy pictures about horses. The story is simple, but has human appeal. One bad feature, however, is the fact that the hero, for whom one feels sympathy, is made to commit a murder. People who are not horse fanciers and, therefore, cannot appreciate the hero's feelings when he learns that his horse had been shot, may not like the taking of a man's life because of a horse, even though the murder was committed in self-defense. The romance is routine:—

Fred Stone and other horse breeders plead with wealthy Robert Warwick, a newcomer, not to grow wheat, for it would interfere with the freedom of their horses; but Warwick defies them and even puts barbed wire fences around his property. Stone loved Konga, a wild horse he had raised from a colt. When it becomes necessary for him to give up his horses to pay for his mortgage, Stone is happy when Konga runs away to the hills. Warwick's daughter (Rochelle Hudson), who did not get along with her father, is in sympathy with Stone. Warwick rounds up wild horses, among them Konga. When Konga leads the horses to stampede, Warwick shoots it. Stone quarrels with him, and shoots and kills him in self-defense. But no trace of the horse is found. Stone is arrested, tried, and sentenced to ten years in prison. It later develops that Miss Hudson had taken the wounded horse and brought it back to health. She had refrained from saying anything for fear it would spoil Stone's case. Her testimony brings a pardon for Stone. Stone is happy when Miss Hudson marries his son.

Harold Shumate wrote the story and screen play; Sam Nelson directed it, and Wallace MacDonald produced it. In the cast are Richard Fiske, Eddie Wallace, Don Beddoe, George Cleveland, and others.

Suitability, Class A. Tempo, somewhat slow.

"The Witness Vanishes" with Edmund Lowe and Wendy Barrie

(Universal, Sept. 22; time, 66 min.)

This "Crime Club" melodrama will do only for the most ardent followers of murder mystery pictures. Audiences in general will find the story confusing, extremely far-fetched, and slightly silly in spots. The only reason why one remains at all interested in the proceedings is the fact that the murderer's identity is not made known until the end, although it is obvious who he is. To its credit is the fact that the action keeps moving at a fast pace, and the production values are good. The romance is incidental. The action takes place in London:—

Wendy Barrie, who, for ten years, had been led to believe that her father was dead, learns, to her surprise, that he was in a sanitarium, supposedly suffering from a nervous ailment. At one time he had been a famous editor of a successful newspaper, which had been stolen from him. Miss Barrie is determined to see her father and, if possible, restore him to his rightful place in the world. But before she could do so, her father escapes; and three men on the newspaper, who had been connected with the plot to steal the paper, are murdered, all clues pointing to the supposedly insane editor as the murderer. Eventually it is proved that the editor was innocent; he had been held a prisoner in the home of Edmund Lowe, who himself had murdered his three partners. He had been the ringleader of the crooks and had killed his partners so as to have the newspaper for himself; to cover up the crimes, he placed the blame on the former editor. Knowing that he was trapped, Lowe smokes a poisoned cigarette and dies. Miss Barrie is happy to be reunited with her father, who makes his plans to start editing the paper again.

James Ronald wrote the story, and Robertson White, the screen play; Otis Garrett directed it, and Irving Starr produced it. In the cast are Bruce Lester, Walter Kingsford, Forrester Harvey, J. M. Kerrigan, and others.

Not for children. Suitable for adolescents and adults. Class B.

"Jamaica Inn" with Charles Laughton

(Paramount, October 13; time, 99 min.)

This British-made production will probably do good business, not because the picture itself merits it, but because of the popularity of Charles Laughton, the star, and of Alfred Hitchcock, the director; also because of the fame of the novel, which has been read widely. It is a lurid melodrama, centering around nefarious characters, who resort to the most villainous acts to gain their ends. The action is spotty: at times it is slow, but occasionally it becomes quite exciting, holding one in tense suspense. Laughton overacts a bit, but his performance is colorful and amusing; he dominates the picture. He is particularly good in the final scenes, where he, realizing that he had been trapped, kills himself. The romantic interest is of slight importance:—

Laughton, an English Squire, is respected and feared by his neighbors; he demanded high taxes, for he needed the money to continue living in luxury. No one realized that he was at the head of a murderous gang of cutthroats, who caused ships to be wrecked to loot the ship of its cargo, after killing the survivors. Not even the men in the gang knew Laughton was the leader, for they took their orders from Leslie Banks, owner of the Inn. To this Inn comes Maureen O'Hara, niece of Banks' wife; soon she realizes what was going on and is shocked. She saves the life of one of the men in the gang, who had dared to object at the smallness of his share of the loot. It later develops that this man was a law officer; he had joined the gang in order to obtain evidence against them. She escapes with this man and goes to Laughton for protection. Laughton pretends to go to the Inn with the law officer to make the arrests; instead he has the law officer bound, while he makes his escape. Before leaving, he kills Banks and his wife. He gathers his belongings and prepares to leave for France, forcing Miss O'Hara to accompany him. But the law officer escapes and arrives at the boat in time to save Miss O'Hara, with whom he had fallen in love. Laughton, realizing that he was trapped, kills himself.

The plot was adapted from the novel by Daphne du Maurier. Sidney Gilliat and Joan Harrison wrote the screen play, and Erich Pommer produced it. In the cast are Emlyn Williams, Robert Newton, Marie Ney, and others.

Not for children. Suitable for adolescents and adults. Class B.

"The Real Glory" with Gary Cooper, Andrea Leeds and David Niven

(United Artists, Sept. 29; time, 96 min.)

An excellent melodrama. Even though the story is highly exaggerated, the picture offers so many thrills that one's attention is held to the very end. The battle between the Philippine Constabulary and the native brigands in the closing scenes is so exciting that one is held breathless. Sensitive persons may be horrified at the fighting, for it is gory, to say the least; but it is realistic. The picture has been cast expertly. Gary Cooper is excellent as the fighting doctor who shows extreme courage in the face of danger. Romance and comedy are of minor importance, but both are blended in with the action so well that they add to the entertainment value of the picture. The action takes place in the Philippines in 1906:—

Five American officers, headed by Reginald Owen, stationed at Mindanao, had the difficult task of training the native constabulary to govern the island. The recruits feared to fight against the Moros, a fierce, murderous tribe that was trying to gain the rule of the island, to enslave the people. After killing two officers, the Moros dam the river, shutting off the water supply, thus bringing suffering to the natives. A cholera plague breaks out. Cooper, the only doctor on the island, wages a terrific fight against hopeless odds. Every one, including Andrea Leeds, Owen's daughter, takes orders from Cooper, who pleads with Owen to send some one to dynamite the dam so as to start the flow of water. Broderick Crawford is sent, but he is killed. Although Owen was going blind, he starts out with a small contingent to do the work himself; he takes a native guide (Vladimir Sokoloff) with him, unaware of the fact that he was a spy for the Moros. Cooper finds out about Sokoloff in time to get to the contingent; he dynamites the dam himself. But then the fighting really starts. Set upon by the Moros, the natives fight a losing battle, until Cooper returns, and through strategy outwits and conquers the Moros. Having brought peace and order to the island, the remaining Americans, that is, Cooper, Owen, who had gone totally blind, and Miss Leeds, leave the Philippines. Cooper and Miss Leeds are united.

The plot was adapted from the novel by Charles L. Clifford; Jo Swerling and Robert R. Presnell wrote the screen play, Henry Hathaway directed it, and Samuel Goldwyn produced it. In the cast are Kay Johnson, Russell Hicks, Benny Inocencio, Charles Waldron, and others.

Suitability, Class A.

"A Child Is Born" with Geraldine Fitzgerald and Jeffrey Lynn

(Warner Bros. [1939-1940], Sept. 30; time, 79 min.)

When this was first produced in 1932, under the title "Life Begins," it was a pretty powerful drama, even though some persons might not have considered it pleasurable. The present version is not different; but present-day audiences may not consider it even as powerful. Some of the situations touch one's emotions, mainly because of the pity one feels for the heroine. Women who have gone through childbirth should sympathize with the characters and should live through their own experiences again. But it is not a cheerful entertainment, particularly for expectant mothers, for it dwells on the difficulty of some cases; it even shows the heroine dying in childbirth. Occasional comedy in situations as well as in dialogue helps to relieve the tension:—

Geraldine Fitzgerald, who was serving a twenty year prison term on a murder charge, being about to become a mother, is taken to a hospital maternity ward. The doctor, realizing that her case was to be difficult, asks her husband (Jeffrey Lynn) whether he wanted the mother to live or the child. Lynn, who adored his wife, insists that the doctor save her. But Miss Fitzgerald, knowing that she was to spend the best part of her life in prison, insists that the doctor save the child. Lynn is heartbroken when he hears that his wife had died and refuses to see the baby. But when the nurse tells him that Miss Fitzgerald's last wish was that he find happiness with the child, his heart softens and he takes the child in his arms.

The plot was adapted from the story by Mary McDougall Axelson; Robert Rossen wrote the screen play, Floyd Bacon directed it, and Sam Bischoff produced it. In the cast are Gladys George, Spring Byington, Gale Page, Johnnie Davis, Henry O'Neill, Gloria Holden, and others.

Not particularly suitable for children. Adolescent and adult fare. Expectant mothers should not see it. Class B. Action, somewhat slow.

Can there be submitted a more convincing proof that "bigness" in the motion picture industry has invariably made "badness"?

Mr. Hays is wrong also when he says that the Federal Government is harassing the motion picture industry; on the contrary, what the Government is trying to do is to eradicate the conditions that have retarded, one may say stifled, the industry's progress, and, in their place, to create conditions that will make a natural development possible; it is seeking to curb monopolistic practices that enable the strong to gulp the weak. And in this effort, it has the wish, not only of the theatre owners, but also of the American public, which has become conscious of the inequities that are existing in the industry.

Mr. Hays says that big business is often beneficial to the consuming public, because it is enabled to deliver its merchandise to the consumers at a lower cost. But such is not the case in this industry where the bigger the concern the more it charges, not only the retailer but also the consumer. Has he read the U. S. Supreme Court's decision in the case of *United States v. Interstate Theatre Circuit of Texas*?

Mr. Hays! It is bad to the consumer if, as you yourself have said in your speech, one individual or group of individuals, by obtaining a monopolistic corner on a commodity, force prices up. But that is exactly what the members of your association have been doing all along, as the court decisions cited in this article have proved: they have used their monopolistic control for years to send up the prices of the commodity they are merchandising. It is to prevent such a practice that the anti-trust laws were enacted—you agree to that. In its different actions in this industry, the U. S. Government is doing nothing more than invoking these laws to put an end to such a monopolistic corner, so that the small and the weak may have a chance to make a living. Let us hope that it will be successful.

THE RIGHT KIND OF ECONOMY

Mr. George J. Schaefer, president of Radio-Keith-Orpheum Corporation, has just announced that, along with the other companies, his company has found it necessary to cut down the overhead because of the decreased foreign revenue; but he, instead of cutting down the salaries of employees in the lower brackets, or even discharging some of them, has confined the reductions to employees of the higher brackets, and has discharged no lower bracket employee. "No employee receiving \$4,500 per year or less," he says, "will be affected. From this point upward a graduated scale will apply so that the largest salaries will receive the largest percentage cuts. Some salaries will be cut over 35%."

HARRISON'S REPORTS takes this opportunity of congratulating Mr. Schaefer for his wise plan of effecting economy with as little suffering as possible.

BOX-OFFICE PERFORMANCES OF 1938-39 SEASON'S PICTURES—No. 5

Universal

"Society Smugglers," with Preston Foster and Irene Hervey; produced by Ken Goldsmith and directed by Joe May, from a screen play by Arthur Horman: Fair-Poor.

"Risky Business," with George Murphy and Dorothea Kent; produced by Burt Kelly and directed by Arthur Lubin, from a screen play by Charles Grayson: Fair-Poor.

"Spirit of Culver," with Jackie Cooper and Freddie Bartholomew; produced by Burt Kelly and directed by Joseph Santley, from a screen play by Nathanael West and Whitney Bolton: Good-Fair.

"Mystery of the White Room," with Bruce Cabot and Helen Mack; produced by Irving Starr and directed by Otis Garrett, from a screen play by Alex Gottlieb: Fair-Poor.

"Three Smart Girls Grow Up," with Deanna Durbin, Charles Grapewin, Nan Grey, and Helen Parrish; produced by Joe Pasternak and directed by Henry Koster, from a screen play by Bruce Manning and Felix Jackson: Excellent-Very Good.

"The Family Next Door," with Hugh Herbert, Joy Hodges, and Eddie Quillan; produced by Max Golden and directed by Joseph Santley, from a screen play by Mortimer Offner: Fair-Poor.

"East Side of Heaven," with Bing Crosby, Joan Blondell, and Mischa Auer; produced by Herbert Polcsie and directed by David Butler, from a screen play by William Conselman: Very Good-Good.

"Code of the Streets," with Harry Carey and Frankie

Thomas; produced by Burt Kelly and directed by Harold Young, from a screen play by Arthur Horman: Fair-Poor.

"Big Town Czar," with Barton MacLane, Tom Brown, and Eve Arden; produced by Ken Goldsmith and directed by Arthur Lubin, from a screen play by Edmund Hartmann: Fair-Poor.

"For Love or Money," with June Lang, Robert Kent, and Ed Brophy; directed by Al Rogell, from a screen play by Charles Grayson and Arthur Horman: Good-Poor.

"Ex-Champ," with Victor McLaglen, Tom Brown, and Nan Grey; produced by Burt Kelly and directed by Phil Rosen, from a screen play by Alex Gottlieb and Edmund L. Hartmann: Very Good-Fair.

"They Asked for It," with William Lundigan and Joy Hodges; produced by Max Golden and directed by Frank McDonald, from a screen play by Arthur Horman: Fair-Poor.

"Inside Information," with June Lang, Dick Foran, and Harry Carey; produced by Irving Starr and directed by Charles Lamont, from a screen play by Alex Gottlieb: Fair-Poor.

"The Sun Never Sets," with Douglas Fairbanks, Jr., Basil Rathbone, and Virginia Fields; produced and directed by Rowland V. Lee, from a screen play by W. P. Lipscomb: Very Good-Fair.

"House of Fear," with Irene Hervey and William Gargan; produced by Edmund Grainger and directed by Joe May, from a screen play by Peter Milne: Fair.

Forty-two pictures, excluding one western, have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 1; Very Good-Good, 2; Very Good-Fair, 3; Good-Fair, 5; Good-Poor, 3; Fair, 8; Fair-Poor, 19; Poor, 1.

The first forty-two pictures in the 1937-38 season were rated as follows:

Excellent-Very Good, 1; Excellent-Good, 1; Very Good-Good, 1; Good-Fair, 7; Good-Poor, 1; Fair, 12; Fair-Poor, 18; Poor, 1.

Warner Bros.

"Secret Service of the Air," with Ronald Reagan, John Litel, and James Stephenson; produced by Bryan Foy and directed by Noel Smith, from a screen play by Raymond Schrock: Fair-Poor.

"The Oklahoma Kid," with James Cagney, Rosemary Lane, and Humphrey Bogart; directed by Lloyd Bacon, from a screen play by Warren Duff, Robert Buckner, and Edward E. Paramore: Very Good-Good.

"The Adventures of Jane Arden," with Rosella Towne, William Gargan, and James Stephenson; produced by Mark Hellinger and directed by Terry Morse, from a screen play by Lawrence Kimble, Charles Curran, and Vincent Sherman: Good-Poor.

"On Trial," with John Litel, Margaret Lindsay, and Janet Chapman; produced by Bryan Foy and directed by Terry Morse, from a screen play by Don Ryan: Fair.

"Dodge City," with Errol Flynn and Olivia deHavilland; produced by Robert Lord and directed by Michael Curtiz, from a screen play by Robert Buckner: Excellent-Very Good.

"Women in the Wind," with Kay Francis and William Gargan; produced by Bryan Foy and directed by John Farrow, from a screen play by Lee Katz and Albert Demond: Good-Poor.

"Torchy Runs for Mayor," with Glenda Farrell and Barton MacLane; produced by Bryan Foy and directed by Ray McCarey, from a screen play by Earle Snell: Fair-Poor.

"Juarez," with Paul Muni, Bette Davis, and Brian Ahrne; produced by Henry Blanke and directed by William Dieterle, from a screen play by John Huston, Aeneas MacKenzie, and Wolfgang Reinhardt: Excellent-Very Good.

Twenty pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 2; Very Good-Good, 4; Very Good-Fair, 1; Good, 1; Good-Fair, 5; Good-Poor, 2; Fair, 2; Fair-Poor, 3.

The first twenty pictures in the 1937-38 season were rated as follows:

Excellent-Very Good, 1; Very Good-Good, 3; Good-Fair, 5; Good-Poor, 4; Fair, 2; Fair-Poor, 5.

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No. 40

**JOE SCHENCK SUGGESTS THAT
YOU PAY MORE FOR FILM
TO OFFSET WAR LOSSES**

Before leaving for his tour of Mexico and of South America, Joseph M. Schenck, chairman of the board of directors of Twentieth Century-Fox, issued a statement in which he suggested that the exhibitors pay higher rentals so as to help the producers overcome the loss of revenue from war-torn Europe. He feels that such a step on your part is necessary if the quality of the pictures is to be maintained at the present level.

The way by which you could pay higher rentals, he says, is for you to extend the playing time of pictures whenever possible. In order to justify the extension of playing time, it is necessary for you, he says, to display greater showmanship and introduce new ideas.

His suggestion about your displaying greater showmanship and about introducing new exploitation ideas leads us naturally to believe that today you are not displaying proper showmanship, even though you could, and that you are not introducing new ideas, even though you could just reach out for them and pick them out of some corner of your brains.

Mr. Schenck's company employs high power publicity and exploitation men. If you were not employing the proper showmanship methods, he should instruct these men to point out to you where you are falling down; or if new ideas could be introduced and you are not introducing them, it is natural to assume that you do not find them. Such being the case, why doesn't he tell you what new ideas to introduce? If he cannot point them out to you himself, he should at least instruct his \$75,000 a year publicity men to conceive them and then pass them on to you.

It is really sickening to hear the producers blame you for lack of showmanship whenever their expensive pictures fail to draw people to your box offices. It is easy for them to criticize your showmanship methods, but hard for them to point out to you how you could improve them. Why don't they set an example by first improving the showmanship of the theatres they themselves operate?

Incidentally, Mr. Schenck's organization has discharged more than five hundred studio employees so as to effect economy, thus adding to the unemployment suffering, but I haven't read anywhere any news item stating that Mr. Schenck has reduced his salary and has given up his bonuses.

How about it, Mr. Schenck?

WISHFUL THINKING

Some trade papers seem to be indulging in much fun these days doing the thinking of the Government. One of them stated that the theatre-owning

film companies have been advised by counsel not to give up their theatres, on the ground that their legal position is unassailable, and that the Government, if they should stand their ground, may be willing to accept a consent decree and let theatre divorcement go by the wayside. This change of front, this paper attributes to the European war.

Another trade paper stated that the Government may go easy on the major companies on the suit now pending in the District Court in this city, but will hold its ground on theatre divorcement. Such a change of front, this trade paper, too, attributes to the war.

Where did they get such information? It isn't any information at all: The statement in the first trade paper was, no doubt, inspired; that in the second manifestly was not inspired, but that trade paper, not to be outdone by the first trade paper, went one step further and reversed the first trade paper's (producers') wishful thinking.

The major companies should understand this clearly: As regards the Neely Bill, Allied will fight for its passage by the House of Representatives at the next session of Congress as virily as it did when the Bill was in the hands of the Senate. Besides, this matter is now out of the hands of the Allied organization; it is in the hands of the public groups. Consequently, even if Allied were to have been satisfied with the way that the Code took care of blind-booking and blind-selling, and to have accepted the Code as a result of it, the public groups would still remain unsatisfied, and would undoubtedly push the Bill through Congress just the same. As regards the question of theatre divorcement, I am sure that the Allied leaders, as soon as the questions of block-booking and blind-selling are disposed of favorably, will concentrate their efforts at putting a theatre divorcement bill either through Congress or through as many state legislatures as possible. And their success in South Dakota proves that they can do it. Besides, there is the Department of Justice: let no one be lulled, by wishful thinking, into the belief that the government will waiver in its insistence upon the accomplishment of theatre divorcement through the anti-trust suit now pending in the District Court in this city; all signs point to the fact that the government remains firm in its determination, and its lawyers, inspired by their belief in the justice of their cause, are working hard preparing for a successful trial.

The best move that the producers can make right now is to prepare themselves for the conditions that will be created when block-booking has been outlawed, and theatre divorcement has become a fact; otherwise, they will find themselves in a much more difficult position than that in which they found themselves when the present European war started.

**"Espionage Agent" with Joel McCrea,
Brenda Marshall and Jeffrey Lynn**

(*First National, September 30; time, 82 min.*)

The timeliness of the subject matter makes this a pretty good box-office attraction, even though the picture itself offers no more than a fairly good program espionage melodrama. It is a little slow in getting started; it picks up speed, however, as the story develops, and ends in an exciting way. The manner in which the hero and the heroine uncover the spy ring is pretty far-fetched; action fans will probably overlook this, since the methods employed by them result in many exciting situations. There is a pleasant romance. The picture serves as propaganda for the United States government to keep closer watch over spies:—

Joel McCrea, while attending to his duties as American Consul in evacuating Americans from European war zones, meets Brenda Marshall, a stranded American. He helps her obtain her passport and sails with her on the ship back to America. They fall madly in love with each other. McCrea pleads with her to marry him, but she refuses, lest she ruin his career if it should ever become known that she had been connected at one time with foreign agents. He refuses to hear anything about her past and finally persuades her to marry him. At Washington, after the marriage, Miss Marshall comes upon one of the agents with whom she had formerly worked. He insists that she obtain certain plans for him, under threat of disgracing her and her husband. That night she confesses everything to McCrea; he insists that they make the facts known to the government officials, even though it meant the end of his career. McCrea resigns from the diplomatic service, but urges government officials to let him and Miss Marshall go to Europe to trace the spy source. The officials agree. McCrea and Miss Marshall accomplish the work they had set out to do, even though on several occasions their lives were endangered. They return to Washington, waiting for further assignments.

Robert H. Buckner wrote the story, and Michael Fessier, Warren Duff, and Frank Donoghue, the screen play; Lloyd Bacon directed it, and Lou Edelmann produced it. In the cast are George Bancroft, Stanley Ridges, Martin Koaleck, James Stephenson, and others. Suitability, Class A.

**"Pack Up Your Troubles" with
Jane Withers, the Ritz Brothers
and Lynn Bari**

(*20th Century-Fox, October 20; time, 75 min.*)

Pretty good entertainment. The action takes place during the last World War; but with such players as Jane Withers and the Ritz Brothers it naturally goes in for comedy instead of war seriousness. The plot is thin; but it serves well enough as a framework for the comedy situations. The Ritz Brothers are quite amusing, particularly when they get behind the German lines, where they are mistaken for German soldiers and are treated as heroes. The manner in which they outwit the German general should provoke hearty laughter. Jane puts over two songs very well. There is no romance:—

Just when the Ritz Brothers had an opportunity to obtain bookings for their vaudeville act, the United States declares war against Germany. Since they used German dialect in their act, they could not get bookings. Following the advice of another actor, they enlist in the Cavalry, expecting to have an easy job. But they soon find themselves in France, in the midst of serious fighting. They become friends with Jane, a young orphan girl, whose father was (supposed to have been) killed in battle; but Jane learns that her father, who was in the French Secret Service, was alive, masquerading as a German soldier, and further, that his life was in danger. The Ritz Brothers try to help Jane get to her father (Joseph Schildkraut), which they succeed in doing. But Lynn Bari, a German spy who had worked in the French Inn with Jane, recognizes her when she visits her father and tells the German authorities about it. They arrest her father. In the meantime, the Ritz Brothers, who had dressed in German uniforms in order to do their act for the soldiers, are mistaken for real Germans and have to run for their lives. They get into a balloon, which gets loose from the mooring, and float over the German lines, where they finally land. By pretending to have escaped from a French prison, they are welcomed as heroes. They recognize Jane's father and save him from the firing squad. With the help of Schildkraut, they get the General across the border and then arrest him. They receive medals for their bravery.

Owen Francis and Lew Breslow wrote the screen play, H. Bruce Humberstone directed it, and Sol M. Wurtzel produced it. In the cast are Stanley Fields, Leon Ames, Fritz Leiber, and others.

Suitability, Class A. Action, fairly fast.

**"U-Boat 29" with Conrad Veidt
and Valerie Hobson**

(*Columbia, October 7; time, 79 min.*)

This British-made production should prove interesting entertainment for those who enjoy espionage pictures. The action, which takes place during the World War, moves at a fairly fast pace, keeping one in suspense throughout. A commendable feature is the fact that no attempt is made to take sides; it is just concerned with the espionage angle. As a matter of fact, although one's sympathies are with the British agents, one cannot help feeling sorry for the German U-Boat commander, who displays courage in the face of danger. A romance is worked into the plot without retarding the action:—

Conrad Veidt, commander of a German submarine, is given orders to contact a German spy at an English coast village. The spy turns out to be Valerie Hobson. Working with them is an English naval officer who, supposedly bearing a grudge against his country because of a demotion, pretends willingly to sell naval secrets to them. Veidt has absolute faith in them. But he learns, to his dismay, that they were actually British agents, and that the plans they had given him whereby he was supposed to blow up fifteen destroyers were just a trap. He manages to escape and, disguised as a clergyman, to board a British ship. Miss Hobson, too, is on this ship. Finding that there were some German prisoners aboard, he releases them and, with their help, takes over command of the ship, making the British officers prisoners. Just then the submarine he commanded, which was cruising around awaiting his return, emerges and begins firing; Veidt makes frantic efforts to attract their attention so as to get them to stop firing at the ship, but in vain. British destroyers arrive in time to sink the submarine, and rescue the people. Veidt goes down with the ship. Miss Hobson cannot help feeling sorry for him.

J. Storer Clouston wrote the story, and Eric Pressburger, the screen play; Michael Powell directed it, and Irving Asher produced it. In the cast are Sebastian Shaw, Marius Goring, June Duprez, and others.

Suitability, Class A.

**"Here I Am a Stranger" with Richard
Greene, Richard Dix and Brenda Joyce**

(*20th Century-Fox, September 29; time, 83 min.*)

This is a pretty good human-interest drama. Although the basic theme is not novel, the characterizations are fresh; and, since the performances are engaging, one's interest is held throughout. One is in deep sympathy with the hero, who shows fine traits, refusing to be forced into doing what he considered wrong. There are a few situations that stir one's emotions, and others that provoke laughter. Even the romance is handled with charm:—

Gladys George, married to Richard Dix, a newspaper man who could not keep a job because of his love for drink, realizes that, for the sake of her baby son, she would have to leave Dix, even though she loved him. She divorces him and later marries George Zucco, a successful lawyer. Her grown son (Richard Greene) leaves for college with his cnum (Edward Morris). He becomes acquainted with Roland Young, one of the professors. When Young learns that he was Dix's son, he is overjoyed, for he had known Dix when he was a student at the same college and had admired him greatly. He urges Greene to visit his father, who lived in Boston. So does Brenda Joyce, Young's daughter, who had fallen in love with Greene. Greene does so. Dix is overjoyed to see the boy; after a few meetings the attachment between them grows. Inspired, Dix takes hold of himself, obtains a job on a newspaper, and makes good. One night, Greene rushes to him with the news that Norris had knocked down a woman while driving in a drunken condition, and that another boy was being held for the accident. When Dix learns that the woman had died, he urges Greene to tell the truth. Zucco pleads with Greene not to say anything, since Norris' father was his most important client and he would be ruined if he talked. But Greene refuses. Then Norris' father decides that the best thing for his son to do would be to give himself up. Miss George, feeling that Dix was a bad influence for his son, urges him to send him away. Dix leads Greene to believe that he had taken \$10,000 from Zucco to leave the country. Noticing how unhappy Greene was, Miss George tells him the truth and sends him to his father. There is a reunion.

Gordon M. Hillman wrote the story, and Milton Sperling and Sam Hellman, the screen play; Roy Del Ruth directed it, and Harry Joe Brown produced it. In the cast are Katharine Aldridge, Henry Kolker, and others.

Suitability, Class A. Tempo, not fast but action interesting.

"One Hour to Live" with Charles Bickford, Doris Nolan and John Litel

(Universal, November 3; time, 59 min.)

A fair program gangster melodrama, suitable for adults only. The action is fast, holding one in suspense throughout because of the constant danger to the hero. Since the spectator knows that the hero was justified in suspecting the villain and his henchmen of committing many crimes, including murder, one is interested in the methods employed by the hero in proving his case. The cold-blooded murders committed by the villain are somewhat gruesome. There is a touch of mystery in the plot, in that the identity of the real leader is not disclosed until the end; the disclosure may surprise most spectators. The love interest is sustained without interfering with the action:—

When Charles Bickford, detective inspector, insists on arresting John Litel, big time racketeer, on a murder charge, everyone thinks he had done so out of jealousy, for Litel had married Doris Nolan, the girl Bickford loved. As usual, Litel's lawyer (Robert Emmett Keane) obtains his client's release on a court order. Bickford knows that some powerful person was behind Litel, but he is unable to find out who he was. When a well known boxer, managed by Litel, is murdered, Bickford knows that Litel was the murderer, for the fighter had double-crossed him, causing him to lose a large sum of money on bets. But again an arrest is of no avail, for Litel's lawyer obtains his release. Bickford is warned by the police commissioner (Samuel S. Hinds) to be careful; but when Bickford's detective pal (John Gallaudet) is murdered, and it is obvious to him that Litel was behind the murder, Bickford goes wild. He sneaks into Litel's apartment and, at the point of a gun, forces him to confess; he is then compelled to kill Litel in self defense. In order to solve the case, Bickford permits the police to arrest Miss Nolan as her husband's murderer; a mysterious person obtains her release. Miss Nolan goes to Hinds' home, hoping to obtain his help. To her amazement, she learns that Hinds was the brains behind the gang, and that he intended to kill her. She is saved by Bickford, who, in company with other detectives, had been hiding in Hinds' home and had overheard the conversation. Hinds is arrested; Bickford and Miss Nolan are united.

Roy Chanslor wrote the original screen play, Harold Schuster directed it, and George Yohalem produced it. Paul Guilfoyle, Jack Carr, and others are in the cast.

Unsuitable for children and adolescents. Adult fare. Class B.

"Legion of Lost Flyers" with Richard Arlen, Andy Devine and Anne Nagel

(Universal, November 17; time, 63 min.)

This action melodrama, centering around commercial aviation, is a fair program entertainment. The main fault lies in its comedy situations, which are not only silly but tend to slow up the action. The whole comedy idea is that of having an Eskimo woman, whose only means of expression is the word "ugh," eating grease intended for aeroplanes; it is sickening. One feels some sympathy for the hero, who had been accused unjustly of having committed a cowardly act. The closing scenes, in which he forces the real culprit to confess, hold one in suspense:—

Having been blamed for bailing out and leaving a plane with five passengers to crash, Richard Arlen goes to Alaska to find the man (William Lundigan) who had actually piloted the plane. Arlen arrives at the commercial flying field supervised by Theodore VonEltz. All the men snub him, but Arlen's old friend (Andy Devine), who had faith in him, induces VonEltz to give him a ground job as his assistant. When Lundigan arrives from a flight, Arlen tries to force him to confess, but Lundigan laughs at him; they fight, and the men sympathize with Lundigan, for they did not know the facts. Anne Nagel, who lived with her widowed sister, is attracted to Arlen, but he warns her not to bother with him. Lundigan steals a plane containing a gold shipment and crashes. Arlen goes after him, and starts off with him in his plane. But the plane is injured and starts to break up. Arlen forces Lundigan, who was frightened, to confess; this confession is heard at the airport, and Arlen's name is cleared. Lundigan bails out, leaving Arlen to crash. Arlen survives, and marries Miss Nagel.

Ben Pivar wrote the story, and Maurice Tombragel, the screenplay; Christy Cabanne directed it, and Ben Pivar produced it. In the cast are Ona Munsen, Guinn Williams, Jerry Marlowe, Leon Ames, and others.

Suitability, Class A. Action, a little slow in spots.

"Calling All Marines" with Donald Barry, Helen Mack and Robert Kent

(Republic, September 20; time, 66 min.)

This program melodrama has plentiful action, but the story is so unconvincing that its appeal will be directed mostly to the indiscriminating who demand action in preference to plausibility; moreover, the basic theme is routine. Since the hero is not regenerated until the end, appearing throughout as a gangster who does not stop even at betraying his own country, one naturally is antagonistic towards him. In the end he does, however, win one's admiration because of his courage; and his regeneration is satisfying. The production values are good, and so are the performances. Romance and comedy are worked into the plot:—

Donald Barry, member of a gang, receives orders from his chief (Cy Kendall) to join the Marines so as to be in a position to steal government plans wanted by foreign agents with whom Kendall was working. Realizing that he would not be accepted because of his police record, Barry and his pals shanghai a young Marine recruit. Barry takes his credentials, and joins the Marines under the other man's name. His tough manner and disrespect for government rules makes him the most disliked man in his regiment. He seeks opportunities to quarrel with Robert Kent, brother of Helen Mack; their quarrels lead to Kent's demotion. He shows courage, however, in saving Kent from a fire aboard ship, thereby winning everyone's friendship. Nevertheless he goes on with the work he had started out to do: he steals the plans and hides them in the butt of his gun, then telephones the foreign agent, telling him where he could find it. In the meantime, the young shanghaied recruit, who had escaped, arrives at the Marine barracks and tells the Commanding Officer what had happened. An officer is sent to get Barry; they find Kent taking the plans from the gun. Kent refuses to talk: the truth was that Barry, realizing he would be arrested, had asked Kent to get the plans and destroy them. Barry's gang effect his escape. But when he finds out that they planned killing him, he runs away in company with his pal (Warren Hymer). Knowing that the gang planned to steal the new torpedo model, Barry and Hymer foil the plot; the plotters are arrested. This time Barry, who had become regenerated, is hailed as a hero, and is accepted as a Marine. He plans to marry Miss Mack.

Harrison Carter wrote the story, and Earl Felton, the screen play; John H. Auer directed it, and Armand Schaefer produced it. In the cast are Leon Ames, Selmer Jackson, Janet McLeay, and others.

Suitability, Class A.

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACT OF CONGRESS OF AUGUST 24, 1912, AND MARCH 3, 1933, OF HARRISON'S REPORTS, published Weekly at New York, N. Y., for Oct. 1, 1939.

State of New York.
County of New York.

Before me, a Notary Public, in and for the State and County aforesaid, personally appeared Sylvia Miller, who, having been duly sworn according to law, deposes and says that she is the business manager of the HARRISON'S REPORTS and that the following is, to the best of her knowledge and belief, a true statement of the ownership, management, etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, as amended by the Act of March 3, 1933, embodied in section 537, Postal Laws and Regulations, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business manager, are:
Publisher, *Harrison's Reports, Inc.*, 1270 6th Ave., New York, N. Y.
Editor, *P. S. Harrison*, 1270 6th Ave., New York, N. Y.
Managing Editor, *None*.

Business Manager, *Sylvia Miller*, 1270 6th Ave., New York, N. Y.
2. That the owner is: *Harrison's Reports, Inc.*, 1270 6th Ave., New York, N. Y.

P. S. Harrison, 1270 6th Ave., New York, N. Y.
3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent, or more of total amount of bonds, mortgages, or other securities are: *None*.

4. That the two paragraphs next above, giving the name of the owners, stockholders, and security holders, if any, contain not only the list of stockholders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustees or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of bona fide owners; and this affiant has no reason to believe that any other person, association, or corporation, has any interest direct or indirect in the said stock, bonds, or other securities than as stated by him.

(Signed) SYLVIA MILLER,
(Business Manager).

Sworn to and subscribed before me this 20th day of September, 1939.

LILLIAN SILVER,
(My commission expires March 30, 1940.)

HOPELESS REMAKES

Of the stories that have been remade this and the last season none has so far proved a box-office killer.

By this time the producers should have learned from experience that the percentage of "hits" from among the remakes is, indeed, very small. The reasons for it are many and varied. The chief reason is, however, the fact that the stories are outmoded: what was new and fresh when the picture was first shown is no longer so.

From among the stories that are chosen for remake, the most "treacherous" are fairly tales, except in cartoon form, and stories the action of which unfolds during two or more generations.

Twentieth Century-Fox has just announced that it is going to produce Maeterlinck's "The Blue Bird," with Shirley Temple. "The Blue Bird" was produced by Paramount in 1918 and, artistically, it turned out to be an excellent production—as artistic as any picture that had been produced by any company up to that time. But at the box office it "flopped." Is its box-office fate to be different now, even with Shirley Temple? Twentieth Century-Fox was prompted to produce it, no doubt, because MGM produced "The Wizard of Oz." But MGM spent on "Wizard of Oz" more than \$3,000,000. Can Twentieth Century-Fox afford to produce a fairy-tale that will cost even one-half such an amount of money right now? Why not give Shirley Temple, and the exhibitors, a better chance? Why take the risk of a "flop" at a time when none can afford it, least of all the producer?

RKO has just finished "Three Sons." This story was put into pictures by the same company once before (April 14, 1933), under the title "Sweepings." It turned out poor, not only as an entertainment, but also as a box office attraction, even though Lionel Barrymore, an actor of proved merit and of considerable help to the box office, appeared in the leading part. This paper hopes that "Three Sons" will prove a better box-office attraction than "Sweepings."

The drawback with stories such as "Sweepings" is, as said, the fact that, as soon as the spectator becomes acquainted with the players in the roles of young people, he is asked to transfer his interest to some other actors, who take the parts of the grown up characters.

One other serious drawback is the fact that such stories contain more action than can be included in the span of seven or eight reels; often even eighteen reels could not do justice to the material. As a result, the producer is compelled to "skim" over such parts as are necessary for the proper development of the situations, making the action of the entire picture appear choppy.

It is about time that Hollywood gave up the idea of trying to economize by producing remakes; it is, at best, poor economy.

THE HORRORS OF WAR TO BE DISHED OUT WITH VENGEANCE ON THE SCREEN

According to Louella Parsons, motion picture critic for the Hearst newspaper chain, the story editors of the different film companies have received orders to search for material with a war background, on the model of the pictures produced between 1914 and 1918.

There is no question that some war pictures will

go over. The danger is, however, that the successes of these few will prompt every company to go to the limit, with the result that the American people will have war dished out to them from every side—radio, newspaper, and motion picture, in addition to having it before them constantly in conversation. Under such circumstances we run the danger of seeing recovery in this industry dashed to pieces, for it is unlikely that the picture-going public will relish such a condition.

If cheerful pictures were ever needed to calm the American people, whose nerves have been overwrought by the constant pounding of war news, that time is now.

The moving picture producers will render themselves and the American people a great service if they should soft-pedal the war themes. Comedies are needed more than anything else, and horrorless dramas. We are going to have enough war horror in real life; why have it also in entertainment? Wouldn't it prove too much?

For the good of the business, war pictures should be produced with extreme discretion.

PRODUCER CHIEFS WHO DESERVE PRAISE

One other production head who deserves credit for having done the right thing during the Hollywood upset that resulted from the war in Europe is Louis B. Mayer. According to Mr. Douglas Churchill, of THE NEW YORK TIMES, when the economy wave swooped down on Hollywood, and some of the companies began discharging lower-salary employees right and left, Mr. Mayer sent for his executives and told them that the frenzy that had seized the studios was unwarranted, and that, if they did their work in the proper manner, they could retain all employees, with the salaries they are getting now, and yet cut down the studio overhead at least fifteen per cent. He then pointed out to them how they could effect such an economy, without causing any suffering.

In the same article, Mr. Churchill pointed out that considerable suffering was caused to small-salary employees by cuts and discharges at the 20th Century-Fox, Warner Bros., Paramount, and Columbia studios.

George Schaefer, of RKO, has announced, as said in last week's issue, that he has effected economy by a reduction in the pay of the higher-salary employees. Columbia has announced that Harry and Jack Cohen have voluntarily reduced their salaries by one-third. These men, too, deserve praise for their right kind of efforts.

When are the high-salaried executives of the other companies going to announce a reduction of their salaries? And when are all the companies going to begin cutting down the exorbitant salaries of stars, directors, producers and authors, and eliminating many unnecessary items of overhead expense running into huge sums?

NO DELAY IN "MY SON, MY SON!"

According to an announcement by the United Artists home office, there will be no postponement in the starting shooting date of "My Son, My Son!," which has been announced for production by Edward Small.

The same announcement states that also "Kit Carson, Avenger," is to go into production immediately.

HARRISON'S REPORTS

Vol. XXI

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RELEASE SCHEDULE FOR FEATURES

Columbia Features

(729 Seventh Ave., New York, N. Y.)

9010 Blondie Takes a Vacation—Singleton	July 20
9033 Behind Prison Gates—Donlevy-Wells	July 28
9008 Coast Guard—Scott-Dee-Bellamy	Aug. 4
9018 Man They Could Not Hang—Karloff	Aug. 17
9017 Five Little Peppers and How They Grew—Edith Fellows	Aug. 22
9209 Riders of Black River—Starrett (59m.)	Aug. 23
9034 Konga, The Wild Stallion—Fred Stone	Aug. 30
9002 Golden Boy—Stanwyck-Menjou (reset)	Sept. 5

(End of 1938-39 Season)

Beginning of 1939-40 Season

1025 Hidden Power—Jack Holt (60 min.)	Sept. 7
1201 Outpost of the Mounties—Starrett (63m.)	Sept. 14
1015 Those High Grey Walls—Connolly	Sept. 21
U-Boat 29—Veidt-Hobson	Oct. 7
Scandal Sheet—Kruger-Munson	Oct. 16
Mr. Smith Goes to Washington—Stewart-Arthur	Oct. 19
Beware Spooks—Joe E. Brown-M. Carlisle	Oct. 24
Miracle of Main Street—Abel-Margo	Oct. 29
Blondie Brings Up Baby—Singleton-Lake	Nov. 2
1020 The Stranger from Texas—Starrett	Nov. 2
The Incredible Mr. Williams—Blondell-M. Douglas	Nov. 23

First National Features

(321 W. 44th St., New York, N. Y.)

367 Angels Wash Their Faces—Sheridan	Aug. 26
376 Everybody's Hobby (The Hobby Family)—Rich-O'Neill-Moran	Aug. 26

(End of 1938-39 Season)

Beginning of 1939-40 Season

452 The Old Maid—Davis-Hopkins-Brent	Sept. 2
461 Dust Be My Destiny—Garfield-P. Lane	Sept. 16
469 No Place to Go—D. Morgan-Dickson-Stone	Sept. 23
462 Espionage Agent—McCrea-Marshall	Sept. 30

Grand National Features

(50 Rockefeller Plaza, New York, N. Y.)

- W1-3 The Singing Cowgirl—D. Page (57 min.)..May 31
Children of the Wild—Valerie-BushNot set

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

- 946 Miracles for Sale—R. Young-RiceAug. 4
947 Lady of the Tropics—Taylor-LaMarrAug. 11
948 These Glamour Girls—Ayres-Turner-Brown..Aug. 18
949 The Wizard of Oz—Garland-F. MorganAug. 25

(End of 1938-39 Season)

Beginning of 1939-40 Season

- 1 The Women—Shearer-Crawford-RussellSept. 1
5 Blackmail—Robinson-Hussey-LockhartSept. 8
4 Thunder Afloat—Beery-MorrisSept. 15
No releaseSept. 22
3 Dancing Co-Ed—Lana Turner- R. Carlson ...Sept. 29
6 Fast and Furious—Tone-SothornOct. 6
7 Ninotchka—Garbo-Douglas-ClaireOct. 13
8 Marx Bros. "At the Circus"—Rice-BakerOct. 20

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

- 3866 Riders of the Frontier—Ritter (58m.)Aug. 9
3826 Irish Luck—Frankie DarroAug. 22
3856 Oklahoma Terror—Randall (58m.)Aug. 25
3815 Sky Patrol—John TrentSept. 9
3816 Danger Flight (Wings Over the Andes)—
John TrentSept. 18
3808 Mr. Wong at Headquarters—KarloffSept. 25
3831 Fight for Peace—Special (65 min.)Sept. 30
3803 Mutiny in the Big House (Murder in the Big
House)—Charles Bickford (reset)Oct. 10
3857 Overland Mail—RandallOct. 31

(End of 1938-39 Season)

Beginning of 1939-40 Season

- 3936 Crashing Thru—James NewillOct. 1
Riders of Destiny—John Wayne Reissue
(61 min.)Oct. 20
Sagebrush Trail—John Wayne Reissue
(59 min.)Oct. 20

Paramount Features

(1501 Broadway, New York, N. Y.)

Beginning of 1939-40 Season

- 3901 Death of a Champion—Overman-DaleSept. 1
3954 Range War—William Boyd (65 min.)Sept. 8
3902 Beau Geste—Cooper-Milland-DonlevySept. 15
3903 \$1,000 a Touchdown—Joe E. Brown-Raye..Sept. 22
3904 Honeymoon in Bali—MacMurray-Carroll ..Sept. 29
3905 What a Life—Cooper-Field-HowardOct. 6
3906 Jamaica Inn—Laughton-O'HaraOct. 13
3907 Television Spy (World on Parade)—
Henry-Barrett (58 min.) (reset)Oct. 20
3908 Disputed Passage—Lamour-Howard (90m.) .Oct. 27
3955 Law of the Pampas—William BoydNov. 3
Geronimo—Foster-Drew-DevineNov. 10
The Llano Kid—Guizar-Dunn-MowbrayNov. 17

Republic Features

(1776 Broadway, New York, N. Y.)

- 846 Colorado Sunset—Autry (64 min.)July 31
868 New Frontier—Three Mesq. (56 min.)Aug. 10
847 In Old Monterey—Autry (74 min.)Aug. 14
825 Smuggled Cargo—McKay-Hudson-Barbier ..Aug. 21
857 Wall Street Cowboy—Rogers (66 min.)Sept. 6

(End of 1938-39 Season)

Beginning of 1939-40 Season

- 911 Flight at Midnight—Regan-ParkerAug. 28
912 Calling All Marines—Barry-Mack-KentSept. 20
951 The Arizona Kid—Rogers (61 min.)Sept. 29
961 The Kansas Terrors—Three Mesq. (57m.)...Oct. 6

RKO Features

(1270 Sixth Ave., New York, N. Y.)

- 936 In Name Only—Lombard-Grant-FrancisAug. 18
935 Conspiracy—Lane-HayesSept. 1
986 The Fighting Gringo—Geo. O'Brien (reset) ..Sept. 8
934 Fifth Avenue Girl—Rogers-ConnollySept. 22
946 Everything's on Ice—Dare-KennedyOct. 6

(more to come)

Beginning of 1939-40 Season

- 003 Full Confession—MacLaglen-EilersSept. 8
002 The Day the Bookies Wept—Penner-Grable..Sept. 15
001 Nurse Edith Cavell—Neagle-Oliver-Pitts ..Sept. 29
004 Three Sons—Ellis-Gargan-K. TaylorOct. 13
010 The Flying Deuces—Laurel-HardyOct. 20
006 Allegheny Frontier—Wayne-TrevorOct. 27
061 Queen of Destiny—Neagle-WalbrookNov. 3
081 The Marshal of Mesa City—Geo. O'BrienNov. 3
007 Vigil in the Night—Lombard-AherneNov. 10
008 Reno—Dix-Patrick-LouiseNov. 17

Twentieth Century-Fox Features

(444 W. 56th St., New York, N. Y.)

- 006 Charlie Chan at Treasure Island—TolerSept. 8
011 The Rains Came—Power-Loy-BrentSept. 15
008 Stop, Look and Love—Rogers-FrawleySept. 22
009 Here I Am a Stranger—Greene-Dix-Joyce ..Sept. 29
010 The Escape—Richmond-Duff-Gale-Norris ...Oct. 6
007 Hollywood Cavalcade—Faye-Ameche (re.) ..Oct. 13
061 The Road to Glory—Reissue (101 min.)Oct. 13
014 Pack Up Your Troubles—Withers-RitzOct. 20
018 Shipyard Sally—Gracie Fields-S. Howard ...Oct. 20
013 20,000 Men a Year—Scott-Foster-Lindsay ...Oct. 27
062 The First World War—Reissue (78 min.)Oct. 27
019 Heaven with a Barbed Wire Fence—Rogers..Nov. 3
015 Drums Along the Mohawk—Colbert-Fonda ..Nov. 10
016 The Jones Family in Too Busy to Work—
Prouty-ByingtonNov. 17
020 Day-Time Wife—Power-Darnell-BarnesNov. 24

United Artists Features

(729 Seventh Ave., New York, N. Y.)

- They Shall Have Music—McCrea-Heifetz-Leeds..Aug. 18
Intermezzo: A Love Story—Howard-Bergman...Sept. 22
The Real Glory—Cooper-Leeds-Niven-OwenSept. 29
Eternally Yours—L. Young-D. NivenOct. 6
The Housekeeper's Daughter—J. Bennett-Menjou.Oct. 12

Universal Features

(1250 Sixth Ave., New York, N. Y.)

- A3031 The Forgotten Woman—Gurie-BriggsJuly 7
A3008 Unexpected Father—Auer-O'KeefeJuly 14
A3007 I Stole a Million—Raft-TrevorJuly 21
A3003 When Tomorrow Comes—Dunne-Boyer ..Aug. 11
First Love—Durbin-Palette (reset)Oct. 20

(End of 1938-39 Season)

Beginning of 1939-40 Season

- 4051 Mutiny on the Black Hawk—Arlen-Devine..Sept. 1
4010 The Under-Pup—Cummings-GreySept. 1
4044 The Mikado—Kenny BakerSept. 8
4058 Desperate Trails—Brown-Baker (58m.) ...Sept. 8
4024 Hawaiian Nights—Downs-Carlisle (reset) .Sept. 8
4017 Two Bright Boys (Bad Company)—Cooper-
Bartholomew (reset)Sept. 15
The Witness Vanishes—Lowe-Barrie.....Sept. 22
Rio—Gurie-Rathbone (reset)Sept. 29
Hero for a Day—Louise-Foran-Grapewin ...Oct. 6
Tropic Fury—Arlen-DevineOct. 13
Tower of London—Karloff-Rathbone.....Oct. 13
4059 Oklahoma Frontier—Brown (58 min.)Oct. 20
Little Accident—Sandy-HerbertOct. 20
Green Hell—Fairbanks, Jr.-J. BennettOct. 27
One Hour to Live—Bickford-NolanNov. 3

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

326 Playing with Dynamite—Wyman-Jenkins Aug. 12
(End of 1938-39 Season)

Beginning of 1939-40 Season

419 Nancy Drew and the Hidden Staircase—
Granville-Litel-Thomas Sept. 9
415 A Child Is Born—Fitzgerald-Lynn Sept. 30
418 The Pride of the Blue Grass—Fellows-
McCallion Oct. 7

SHORT SUBJECT RELEASE SCHEDULE

Columbia—One Reel

9660 Community Sing No. 10—(10m.) June 16
9511 Nell's Yells—Color Rhapsody (7m.) June 30
9964 Montmartre Madness—Vanities (10½m.) June 30
9808 Technique of Tennis—Sport Thrills (9m.) June 30
9555 Sojourn in India—Tours (9½m.) July 7
9809 There Goes Rusty—Sport Thrills (10½m.) July 15
9512 Hollywood Sweepstakes—Col. Rhap. (8m.) July 28
9862 Screen Snapshots No. 12 (10m.) July 28
9904 Washington Parade—Issue No. 4 (11m.) Aug. 4
9810 Big Fish—Sport Thrills (10m.) Aug. 18
9556 In Morocco—Tours (10½m.) Aug. 28
(End of 1938-39 Season)

Beginning of 1939-40 Season

1651 Community Sing No. 1—(9½m.) Aug. 4
1501 Jitterbug Nights—Color Rhaps. (7m.) Aug. 11
1701 The Charm Bracelet—Phantasy (6m.) Sept. 1
1601 Elias Howe—Fools Who Made History
(10½m.) Sept. 1
1652 Community Sing No. 2—(9m.) Sept. 8
1851 Screen Snapshots No. 1—(10m.) Sept. 15
1551 Holland and the Zuyder Zee—Tours (9m.) Sept. 15
1502 Crop Chasers—Color Rhapsody (7½m.) Sept. 22
1801 Bows and Arrows—World of Sports Sept. 29
1751 Little Lost Sheep—Fables (7m.) Oct. 6
1602 Charles Goodyear—Fools Oct. 6
1901 Washington Parade No. 1 Oct. 6
1653 Community Sing No. 3 Oct. 13
1852 Screen Snapshots No. 2 Oct. 20
1503 Dreams on Ice—Color Rhapsody Oct. 20
1552 Modern Cities of India—Tours Oct. 27
1802 Jai-Alai—World of Sports Nov. 3
1504 Mountain Ears—Color Rhapsody Nov. 3
1654 Community Sing No. 4 Nov. 17
1853 Screen Snapshots No. 3 Nov. 24
1702 Millionaire Hobo—Phantasy Nov. 24

Columbia—Two Reels

9161 Doomed Men—Overland with Kit Karson
No. 1 (29m.) July 21
9152 The Reward of Treachery—Mandrake No. 12
(19m.) July 22
9437 Trouble Finds Andy Clyde—All Star (18m.) July 28
9162 Condemned to Die—Overland No. 2 (18m.) July 28
9163 Fight for Life—Overland No. 3 (20m.) Aug. 4
9438 Mooching Through Georgia—All Star
(19m.) Aug. 11
9164 The Ride of Terror—Overland #4 (18m.) Aug. 11
9165 The Path of Doom—Overland #5 (17m.) Aug. 18
9166 Rendezvous with Death—Overland #6
(16m.) Aug. 25
9167 The Killer Stallion—Overland #7 (18m.) Sept. 1
9168 The Devil's Nest—Overland No. 8 (15m.) Sept. 8
9169 Blazing Peril—Overland No. 9 (16m.) Sept. 15
9170 The Black Raiders—Overland No. 10 Sept. 22
9171 Foiled—Overland No. 11 Sept. 29
9172 The Warning—Overland No. 12 Oct. 6
9173 Terror in the Night—Overland No. 13 Oct. 13
9174 Crumbling Walls—Overland No. 14 Oct. 20
9175 Unmasked—Overland No. 15 Oct. 27
(End of 1938-39 Season)

Beginning of 1939-40 Season

1401 Calling All Curs—Stooges (17½m.) Aug. 25
1421 Skinny the Moocher—C. Chase (16½m.) Sept. 8
1422 Static in the Attic—All Star (19m.) Sept. 22
1492 Oily to Red Oily to Risc—Stooges (18½m.) Oct. 6
1423 All American Blondes—All Star Oct. 20
1424 Teacher's Pest—C. Chase Nov. 3

Metro-Goldwyn-Mayer—One Reel

S-911 Take a Cue—Pete Smith (9m.) Aug. 12
K-929 One Against the World—Pass. Par. (11m.) Aug. 19
W-889 The Bookworm—Cartoon Tech. (9m.) Aug. 26
K-930 Unseen Guardians—Pass. Parade (11m.) Aug. 26
S-912 Football Thrills of 1938—Smith (10m.) Sept. 16
(more to come)

Beginning of 1939-40 Season

T-51 A Day on Treasure Island—Traveltalks
(11 min.) Sept. 2
M-71 Rhumba Rhythm—Miniatures (10m.) Sept. 2
M-72 The Ash Can Fleet—Miniatures (11m.) Sept. 9
C-131 Captain Spanky's Showboat—Our Gang
(11 min.) Sept. 9
F-141 The Day of Rest—Benchley (9 min.) Sept. 16
M-73 A Failure at Fifty—Miniatures (10m.) Oct. 7

Metro-Goldwyn-Mayer—Two Reels

P-814 Help Wanted—Crime Doesn't Pay (21m.) June 10
P-815 Think First—Crime Doesn't Pay (21m.) Sept. 9

Paramount—One Reel

K8-7 Colombia—Color Cruise (9m.) July 21
E8-11 It's the Natural Thing to Do—Popeye
(6½m.) July 28
J8-6 Popular Science No. 6—(10m.) Aug. 4
T8-11 Yip Yip Yippy—Betty Boop (6m.) Aug. 11
A8-12 Sweet Moments—Headliner (10m.) Aug. 11
V8-12 Breaking the News—Paragraphic (10m.) Aug. 25
(End of 1938-39 Season)

Beginning of 1939-40 Season

R9-1 Hydro-Maniacs—Spotlight (9m.) Sept. 1
K9-1 Ecuador—Color Cruise Sept. 1
A9-1 Artie Shaw's Class in Swing—Headliner
(10m.) Sept. 8
J9-1 Popular Science No. 1 Sept. 15
V9-1 Public Hobby Number One—Paragraphic
(10½m.) Sept. 22
R9-2 A Desert Adventure—Spotlight (9½m.) Sept. 22
C9-1 The Fresh Vegetable Mystery—Classic Sept. 29
D9-1 The Blue Danube Waltz—Symphonic Sept. 29
A9-2 Ted Fio Rito and His Orchestra—Head. Oct. 6
K9-2 Peru—Color Cruise Oct. 6
R9-3 Catching Whoppers—Spotlight (9½m.) Oct. 13
L9-1 Unusual Occupations No. 1 Oct. 13
V9-2 Not Yet Titled—Paragraphic Oct. 20
A9-3 Moments of Charm of 1940—Headliner Oct. 27
D9-2 Merry Wives of Windsor—Symphonic Oct. 27

RKO—One Reel

94313 Kennel Kings—Sportscope (9m.) Aug. 11
94613 Pack Trip—Reelism (9m.) Aug. 18
94118 The Autograph Hound—Disney (8m.) Sept. 1
(End of 1938-39 Season)

Beginning of 1939-40 Season

04301 Gun Play—Sportscope (9m.) Sept. 1
04201 Information Please—(11m.) Sept. 8
04601 Nevada Unlimited—Reelism (8m.) Sept. 15
04101 Officer Duck—Disney (8m.) Sept. 22
04302 Hunting Hounds—Sportscope Sept. 29
04202 Information Please Oct. 6

RKO—Two Reels

93113 March of Time (18m.) Aug. 4
(End of 1938-39 Season)

Beginning of 1939-40 Season

03101 March of Time—(19m.) Sept. 1
03501 Cupid Rides the Range—Whitley (18m.) Sept. 8
03701 Wrong Room—Leon Errol (19m.) Sept. 22
03102 March of Time Sept. 29
03401 Act Your Age—E. Kennedy (18m.) Oct. 6
03201 Blamed for a Blonde—Atwell (16m.) Oct. 20
03103 March of Time Oct. 27
03702 Truth Aches—Leon Errol Nov. 3
03202 Coat Tales—Jed Prouty Nov. 17

Twentieth Century-Fox—One Reel

0301	Big Game Fishing—Sports (10m.).....	Sept. 1
0552	Hook, Line and Sinker—Terry-Toon (7m.)..	Sept. 8
0601	Fashion Forecasts No. 5—(10m.)	Sept. 15
0502	Sheep in the Meadow—Terry-Toon (7m.)..	Sept. 22
0401	Monkeys Is the Cwaziest People—Lew Lehr (10m.)	Sept. 29
0553	The Orphan Duck—Terry-Toon (7m.).....	Oct. 6
0102	The Evergreen Empire—L. Thomas (11m.)..	Oct. 13
0503	The Watchdog—Terry-Toon	Oct. 20
0202	Filming the Fleet—Adv. News Cam. (11m.)..	Oct. 27
0504	A Mouse and a Million—Terry-Toon.....	Nov. 3
0103	The Aghileen Pinnacles—Father Hubbard and Lowell Thomas (11m.)	Nov. 10
0554	Wicky-Wacky Romance—Terry-Toon	Nov. 17
0302	Clocking the Jockeys—Sports (11m.).....	Nov. 24

Universal—One Reel

A3260	Snuffy's Party—Lantz cart. (7m.).....	Aug. 7
A3261	Slap Happy Valley—Lantz cart. (7m.)....	Aug. 21
A3262	Silly Superstition—Lantz cart. (7m.)....	Aug. 28

(End of 1938-39 Season)

Beginning of 1939-40 Season

4261	A Haunting We Will Go—Cart. (9m.).....	Sept. 4
4371	Stranger Than Fiction No. 66—(8½m.)....	Sept. 18
4351	Going Places with Thomas No. 66—(9m.)..	Sept. 25
4262	Life Begins with Andy Panda—Cart.....	Oct. 9
4372	Stranger Than Fiction No. 67—(9m.).....	Oct. 9
4352	Going Places with Thomas No. 67—(9m.)..	Oct. 16

Universal—Two Reels

4586	Indian Vengeance—Oregon No. 6 (20m.)....	Aug. 8
4587	Trail of Treachery—Oregon No. 7 (20m.)..	Aug. 15
4588	Redskin's Revenge—Oregon No. 8 (18m.)..	Aug. 22
4589	Avalanche of Doom—Oregon No. 9 (18m.)..	Aug. 29
4590	The Plunge of Peril—Oregon No. 10 (20m.)..	Sept. 5
4221	Boy Meets Joy—Tomlin-Hodges (17m.)....	Sept. 6
4110	March of Freedom—Special (19m.).....	Sept. 6
4591	Trapped in Flames—Oregon No. 11 (17m.)..	Sept. 12
4592	The Baited Trap—Oregon No. 12 (19m.)....	Sept. 19
4593	Crashing Timbers—Oregon No. 13 (18m.)..	Sept. 26
4594	Death in the Night—Oregon No. 14 (20m.)..	Oct. 3
4595	Trails End—Oregon No. 15 (19m.).....	Oct. 10
4681	The Menacing Power—Phantom Creeps No. 1 (21m.)	Oct. 17
4222	Swing Hotel—Musical (18m.)	Oct. 18
4682	Death Stalks the Highways—Phantom No. 2 (21m.)	Oct. 24
4683	Crashing Towers—Phantom No. 3 (21m.)..	Oct. 31

(*"With Best Dishes," listed in the Last Index as an August 9 release, belongs to the 1938-39 Season*)

Vitaphone—One Reel

4612	Mechnix Illustrated #5—(9m.)	June 10
4518	Hobo Gadget Band—Mer. Mel. (7m.) (re.)..	June 17
4814	Scalp Trouble—Looney Tunes (7m.)	June 24
4908	The Right Way—Varieties (9m.)	July 1
4716	Rita Rio and Orch.—Mel. Mast. (10m.)	July 1
4311	Lives in Peril—True Adventures (11m.)	July 1
4521	Old Glory—Mer. Melodies (10m.)	July 1
4611	Modern Methods—Color Parade (9m.).....	July 15
4522	Dangerous Dan McFoo—Mer. Mel. (8m.) ..	July 15
4815	Porky's Picnic—Looney Tunes (7m.)	July 15
4717	Will Osborne and Orch.—Mel. Mast. (10m.)..	July 22
4911	Witness Trouble-Grouch Club—Var. (9m.)..	July 29
4523	Snow Man's Land—Mer. Mel. (7m.)	July 29
4312	Three Minute Fuse—True Adv. (11m.)	July 29
4613	Mechanix Illustrated No. 6—(10m.)	Aug. 5
4816	Wise Quack—Looney Tunes (7m.).....	Aug. 5
4524	Harum Scarum—Mer. Mel. (7m.).....	Aug. 12
4718	Eddie DeLange & Orch.—Mel. Mast. (9m.)..	Aug. 12
4404	Romance in Color—Techni. Spec. (11m.)..	Aug. 19
4912	One Day Stand—Varieties (9m.).....	Aug. 19
4313	Verge of Disaster—True Adv. (7m.).....	Aug. 26
4525	Detouring America—Mer. Mel. (8m.).....	Aug. 26
4526	Little Brother Rat—Mer. Mel. (8m.).....	Sept. 2

(End of 1938-39 Season)

Beginning of 1939-40 Season

5501	Swing Styles—Melody Masters (10m.).....	Sept. 2
5601	Porky's Hotel—Looney Tunes (6½m.).....	Sept. 2
5701	Vote Trouble—Varieties (11m.)	Sept. 9
5301	Sioux Me—Merrie Melodies (8m.)	Sept. 9
5303	Land of the Midnight Fun—Mer. Mel. (8m.)..	Sept. 23
5602	Jeepers Creepers—Looney Tunes (8½m.)..	Sept. 23
5502	Vincent Lopez & Orch.—Mel. Mast. (10m.)..	Sept. 30
5401	Mechanix Illustrated #1—Col. Par. (10m.)..	Sept. 30
5302	Little Lion Hunter—Mer. Mel. (7m.).....	Oct. 7
5603	Naughty Neighbors—Looney Tunes	Oct. 7
5702	Sword Fishing—Varieties	Oct. 21
5304	Good Egg—Merrie Melodies	Oct. 21
5305	Fresh Fish—Merrie Melodies	Nov. 4
5604	Pied Piper Porky—Looney Tunes	Nov. 4

Vitaphone—Two Reels

4407	Bill of Rights—Tech. Prod. (17m.).....	Aug. 12
4018	Secing Red (Spare Parts)—Bway. Brev. (19m.)	Aug. 26
4008	Ride Cowboy Ride (Ride Ranger Ride)—Tech. Prod. (17m.)	Sept. 9

(End of 1938-39 Season)

Beginning of 1939-40 Season

5103	Slapsie Maxie's—Bway. Brev. (16m.).....	Sept. 16
5001	Monroe Doctrine—Tech. Prod. (16m.).....	Oct. 14
5102	Ice Frolics—Bway. Brevities	Oct. 28

NEWSWEEKLY NEW YORK RELEASE DATES

Universal

802	Saturday	Sept. 2
803	Wednesday	Sept. 6
804	Saturday	Sept. 9
805	Wednesday	Sept. 13
806	Saturday	Sept. 16
807	Wednesday	Sept. 20
808	Saturday	Sept. 23
809	Wednesday	Sept. 27
810	Saturday	Sept. 30
811	Wednesday	Oct. 4
812	Saturday	Oct. 7
813	Wednesday	Oct. 11
814	Saturday	Oct. 14
815	Wednesday	Oct. 18
816	Saturday	Oct. 21
817	Wednesday	Oct. 25
818	Saturday	Oct. 28
819	Wednesday	Nov. 1
820	Saturday	Nov. 4

Paramount News

6	Wednesday	Sept. 20
7	Saturday	Sept. 23
8	Wednesday	Sept. 27
9	Saturday	Sept. 30
10	Wednesday	Oct. 4
11	Saturday	Oct. 7
12	Wednesday	Oct. 11
13	Saturday	Oct. 14
14	Wednesday	Oct. 18
15	Saturday	Oct. 21
16	Wednesday	Oct. 25
17	Saturday	Oct. 28
18	Wednesday	Nov. 1
19	Saturday	Nov. 4

Metrotone News

202	Wednesday	Sept. 20
203	Saturday	Sept. 23
204	Wednesday	Sept. 27
205	Saturday	Sept. 30
206	Wednesday	Oct. 4
207	Saturday	Oct. 7
208	Wednesday	Oct. 11
209	Saturday	Oct. 14
210	Wednesday	Oct. 18
211	Saturday	Oct. 21
212	Wednesday	Oct. 25
213	Saturday	Oct. 28
214	Wednesday	Nov. 1
215	Saturday	Nov. 4

Fox Movietone

98	Saturday	Aug. 19
99	Wednesday	Aug. 23
100	Saturday	Aug. 26
101	Wednesday	Aug. 30
102	Saturday	Sept. 2
103	Wednesday	Sept. 6
104	Saturday	Sept. 9

(End of 1938-39 Season)

1939-40 Season

3	Wednesday	Sept. 20
4	Saturday	Sept. 23
5	Wednesday	Sept. 27
6	Saturday	Sept. 30
7	Wednesday	Oct. 4
8	Saturday	Oct. 7
9	Wednesday	Oct. 11
10	Saturday	Oct. 14
11	Wednesday	Oct. 18
12	Saturday	Oct. 21
13	Wednesday	Oct. 25
14	Saturday	Oct. 28
15	Wednesday	Nov. 1
16	Saturday	Nov. 4

Pathe News

05218	Wed. (E.)	Sept. 20
05119	Sat. (O.)	Sept. 23
05220	Wed. (E.)	Sept. 27
05121	Sat. (O.)	Sept. 30
05222	Wed. (E.)	Oct. 4
05123	Sat. (O.)	Oct. 7
05224	Wed. (E.)	Oct. 11
05125	Sat. (O.)	Oct. 14
05226	Wed. (E.)	Oct. 18
05127	Sat. (O.)	Oct. 21
05228	Wed. (E.)	Oct. 25
05129	Sat. (O.)	Oct. 28
05230	Wed. (E.)	Nov. 1
05131	Sat. (O.)	Nov. 4

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No. 41

DESTRUCTIVE CRITICISM

Two Hollywood papers, the *Hollywood Reporter* and the *Hollywood Spectator*, have taken George Schaefer, president of RKO, to task for having given Orson Welles \$750,000 and unrestricted authority to produce a picture—Conrad's "Out of Darkness."

Welford Beaton says in his *Hollywood Spectator*:

"Orson Welles has never produced a motion picture—

"He has never directed a motion picture—

"He has never acted in a motion picture—

"He has been given a contract and a large sum of money to spend in producing, directing, writing, and acting a motion picture. . . ."

He then turns his criticism into a personal abuse.

W. R. Wilkerson, in his *Hollywood Spectator*, criticizes Mr. Schaefer for having given Welles \$750,000 and a "questionable" story to make a picture with, and attacks severely Schaefer's announcement that all salaries beginning with \$90 a week and up will be curtailed on a graduated scale, with the largest salaries receiving the greatest cuts.

The criticism of Messrs. Wilkerson and Beaton are merely matters of personal opinion; they are not founded on facts. Had either of them read the Conrad book and stated in which respect the book will fail to make a good motion picture, his criticism would have been constructive; in the manner their criticisms have been presented, they are destructive, for they may have the effect of discouraging, not only Mr. Schaefer, but also Mr. Welles.

Mr. Schaefer certainly must feel that Mr. Welles possesses certain qualifications to deserve the support he has given him in starting him off as a producer of motion pictures; undoubtedly he feels that, when a producer puts on a fantastic production and makes a large portion of the American public take it for real—when a man puts on a production that makes people feel that the Martians visited the earth and began warring on its inhabitants, he must have something under his hat. And he proceeded to find out. If he finds out that Mr. Welles is a great producer of pictures, as he has been of radio and stage productions, then he will feel satisfied that he has accomplished something.

Why should these two trade paper editors have singled out Mr. Schaefer when what he did is no worse than what others are doing in Hollywood every day—producers giving incompetent relatives unheard of amounts of money to produce pictures with? At least George Schaefer picked out a person who has brains, and whose ability has been proved.

The criticisms of these two trade paper editors

are premature and ill-taken; and they lead one to believe that they were inspired, even if they were not. Had they waited until Mr. Welles produced the picture and it "flopped," their criticisms would be justified; and if they were impatient to speak their piece, they could at least have read the book and told us its shortcomings, if they have the ability to point out shortcomings in a story chosen for film production.

HARRISON'S REPORTS does not say that Mr. Welles is going to produce a masterpiece; nor does it wish to discourage new talent: it will simply wait to see what Mr. Welles will do before saying whether George Schaefer was wise in doing with Mr. Welles what he has done, or unwise. In the meantime, the writer will obtain a copy of the book and will comment on it in these columns.

WHERE THE TROUBLE LIES!

The following interesting letter was received from a friend who has just visited Hollywood:

"Dear Pete:

"They have all gone 'nuts' out here. Last Saturday 1,600 subpoenas were served on studio heads and others by the government's representatives and this week the Grand Jury is hearing them all. What with the war, labor troubles, etc., they are firing all the help that contributed to making pictures. No relatives have been fired or cut. No big salaries have been cut.

"Only 'B' pictures will be produced. We are in for a flock of 'Quickies.' They may furnish the couple of big ones they started, but POSITIVELY they will not make any more big ones. The exhibitors who have already bought their product are in for a 'shellacking.'"

The question of relatives in the production end of the business is, of course, a bane on the industry, but one should be a great optimist to expect the studio leaders to discharge their relatives; it is not in human nature that they should do so. What hurts more than the employment of such relatives is the salaries paid them; they are so high that the studio forces become demoralized: when competent persons see incompetent relatives receive three and four, and even more, times the amount of money they receive, they naturally feel aggrieved. As a matter of fact, this injustice is the subject of continual conversation among the forces of the different studios.

The only remedy, as said repeatedly in these columns, is the outlawing of block-booking and of blind-selling: When pictures are sold on merit and not on the knowledge that they will bring in a profit, no matter how poor they are, because the poor pic-

(Continued on last page)

"On Your Toes" with Zorina and Eddie Albert

(First National, October 14; time, 94 min.)

Slow and tiresome! There is nothing in it that would interest picture-goers of the rank-and-file. The hero is a weakling, even though a good natured one. Zorina may be a famous dancer, but she means little to the screen.

The story deals with a hero (Eddie Albert), who was part of a vaudeville team with his father and mother. But he had other ambitions—he wanted to compose music. He quits the team to follow his natural inclinations. He meets a broken down Russian would-be composer and, under his "inspiration," he writes the score for a ballet with a modern tone. He meets Zorina, who was to take the leading female part, and he realizes that she was the girl whom he had met once in a theatre when they were children. The ballet is an eventual success. The two become engaged.

The plot has been founded on the musical revue by Richard Rodgers, George Abbott, and Lorenz Hart. The screen play was written by Jerry Wald and Richard Macaulay. Ray Enright directed it. James Gleason, Frank McHugh, Berton Churchill and others are in the supporting cast. Suitability, Class A.

"Eternally Yours" with Loretta Young, David Niven and Broderick Crawford

(United Artists, October 12; time, 105 min.)

In spite of the fact that a fortune was spent in producing it, "Eternally Yours" is not a good entertainment. The first half is slow and pretty tiresome; the second half moves along at a fairly fast speed, but nothing that happens moves one. The only thing that it does is to hold one in fairly tense suspense, the cause being the hero's daring—handcuffed, and strapped to a parachute, he jumps from a plane fifteen thousand feet in the air and, before being dashed on the ground, succeeds in freeing himself and opening the parachute.—

Loretta Young, engaged to colorless Crawford, meets David Niven, a magician performing at a theatre, and it is love at first sight for both. She goes on a tour with him and helps him with his act. But soon she becomes tired of the shiftless life and, although she loved him, she deserts him. Niven cancels his engagements and proceeds to find her, but is unsuccessful. Soon he learns that she had married Crawford. But he still pursues her. He eventually finds her and makes her admit that she still loved him. The fact that she was still madly in love with him comes out when Niven, after having jumped from a plane handcuffed and succeeding in opening the parachute, falls into the water and Loretta thinks that he had drowned. Crawford realizes that she was still in love with her first husband and decides to give her her freedom.

The story is an original by Gene Towne and Graham Baker. It was directed by Tay Garnett. Billy Burke, C. Aubrey Smith, Hugh Herbert, Zasu Pitts, and many others are in the supporting cast.

Class B.

"The Private Lives of Elizabeth and Essex" with Bette Davis and Errol Flynn

(Warner Bros., November 11; running time, 105 min.)

This Robert Michael Curtis technicolor "opus" misses fire, in spite of the fact that a fortune has been spent on it. The reason for it is the fact that similar stories, revolving around historical queens of England, have been shown in pictures so often that they are no longer novelties. Besides, the action of this story unfolds mostly by dialogue; there is little fast photographic action. As a result, one becomes almost bored. The story twist that seems to have impressed the Warner executives who have selected it for production is the fact that Queen Elizabeth sends the Earl of Essex, the man she loved with all her heart, to death because he was too ambitious and she feared the future of England if he should dethrone her and become the King. Bette Davis does excellent work as Elizabeth, particularly in the scenes where she had to choose between love and, what she thought, her duty. All the court intrigues usual in pictures of this type are shown in this picture, too. There are some fights, but not of such nature as to impress one. There is also pageantry.

The plot has been founded on the stage play by Maxwell Anderson. The screen play was written by Norman Reilly Rain, and Anas McKenzie. It was produced by Robert Lord, and directed by Michael Curtiz. Some of the supporting players are, Olivia de Havilland, Donald Crisp and Allan Hale.

Morally, it is suitable for all. Class A.

"Hollywood Cavalcade" with Alice Faye, Don Ameche and J. Edward Bromberg

(20th Century-Fox, October 13; time, 96 min.)

A fine entertainment. It is supposed to be the history of motion pictures in Hollywood, but since it is too long to be included in nine or ten reels, only part of it is shown. And the facts have been mixed with fiction. This, however, has not weakened its effectiveness; rather it has enhanced it, for the producers thus have found an opportunity to mingle laughs with tears. Some of the sequences show the old Keystone comedies, which were produced by Mack Sennett; they will undoubtedly make a hit with the new generation as well as with those who still remember those comedies. Some of the old actors, such as Ben Turpin and Buster Keaton, appear in some of the sequences. Miss Faye is extremely charming as the heroine. Don Ameche, as the self-made director, is excellent. Bromberg, too, deserves mention for the good work he does. The picture has been photographed in technicolor.

It is the story of a Hollywood studio prop-boy (Ameche) who, while in New York, attends a vaudeville show with a friend of his (J. Edward Bromberg). He is so struck with the acting of Alice Faye that, by using the Hollywood famous bluster, he sweeps her off her feet and makes her sign a contract to appear in motion pictures. He then sells the contract to his former boss. From that time on, Ameche, being resourceful, becomes a success, making a great star out of Alice Faye. But although he loved Alice he was too much engrossed in the business to express his feelings to her. Consequently Alice falls in love with Alan Curtis, her leading man, and marries him. When Don hears of it he goes to pieces. He refuses to renew Alice's contract. From that time on, he goes down and down until he is finally a failure. Alice pleads with Bromberg to let him direct her next picture. During production, Alice and Alan have an automobile accident in which Alan is killed. Talking pictures came and the production was about to be scrapped when Don conceives the idea of shooting the missing scenes in sound. The picture makes a great hit and Don becomes reestablished. He and Alice are again brought together.

The story has been written by Hillary Lynn and Broen Holmes, from an original idea by Lou Breslow. Mack Sennett collaborated in it. The screen play is by Ernest Pascal; the direction, by Irving Cummings. It was produced by Harry Joe Brown.

Suitable for all—Class A.

"Rio" with Basil Rathbone, Victor McLaglen and Sigrid Gurie

(Universal, September 29; running time, 77 min.)

Despite the lavish production Universal has given it, and despite the efforts of the cast, "Rio" is not a good entertainment, by reason of the fact that the story is preposterous, even though five writers worked on the original story to extract some values from it. It is an artificial story, and the action unfolds in a locality in which the average American picture-goer is least interested—a penal colony (supposedly French), with its drabness, its sombreness, and the usual cruelty of its prison guards. The lavish frolic scenes must have cost the producers a fortune; but they do not help the picture much, because of the story's triteness. Sigrid Gurie is not effective, not because she cannot act, but because her part does not give her the chance she deserves.—

Basil Rathbone, a powerful French financier, is celebrating his first wedding anniversary with Sigrid Gurie, his wife, when he is arrested as a great swindler following an expose. He is convicted and sentenced to the penal colony, somewhere in the tropics. Sigrid, in order to be near him, goes to Rio, accompanied by Victor McLaglen, her husband's faithful bodyguard. There she obtains employment in a cafe, conducted by Leo Carrillo. She meets Robert Cummings, a young American engineer, who had taken to drink as a result of his disgrace when the bridge he had built had collapsed. She falls madly in love with him. As a result of her intercession, Leo has the young man undertake to build a dam to store water for the farmers. He makes a success and reestablishes himself. With the aid of McLaglen, Rathbone escapes and reaches Rio. When he discovers that his wife was in love with Cummings, he threatens to kill the young man. But McLaglen warns him to desist, because the police were close behind them. In attempting to escape the police, Rathbone is shot and killed. McLaglen, too, is shot and dies.

The plot has been founded on an original story by Jean Negulesco. John Brahm directed it.

Suitability, Class B. Children will not enjoy it.

"Babes in Arms" with Mickey Rooney and Judy Garland

(MGM, October 13; running time, 95 min.)

Excellent! It seems as if Metro has hit it well this time, to the benefit of the box office, not only because of the presence of Mickey Rooney and Judy Garland, but also because the picture is a real entertainment; it has in it everything that appeals to every one who sees pictures—a few tears, a load of laughs, delightful music, and youthfulness. Mickey Rooney certainly proves to be a real trouper: he not only is a good clown, but also can bring tears. In the scenes where he mimics Clark Gable and Lionel Barrymore, people should screech from laughter. The youngsters who appear in the picture are capable performers. The entire picture holds one in its grip; and it leaves one in so joyful a mood that many picture-goers will undoubtedly see it a second time.

The story deals with "has been" vaudeville actors' children, who find it impossible to convince their parents that they, too, had talent. The old folk organize their acts into a vaudeville show and go on the road, but they refuse to take their children along; so the children take matters in their own hands: Mickey Rooney decides to write a show to be performed by them all. In the meantime, a busybody woman calls on the justice of the peace and insists that he send the children to trade schools, where they could learn something useful. The children are hailed before the judge but he, being a good judge, is persuaded by Mickey Rooney to let them try their hand at producing a show themselves. The judge gives them thirty days to prove their ability. Their lack of the necessary capital is taken care of by a young girl, daughter of wealthy parents (without their knowledge), on the understanding that she be given the leading part. This naturally is a shock to Judy Garland, who loved Mickey, but Mickey is able to pacify her when he tells her that they have no other way out. The show is a success, but a sudden storm ruins the show before it is over. Mickey, however, receives a letter from a New York producer inviting him to call on him to talk terms. The producer happened to be an old friend of his father's. The old-timers return from their tour, broke. The producer sends for Mickey's father to take charge of the children's production. Mickey is happy when his father accepts the offer.

The screen play by Jack McGowan and Kay Van Riper was founded on the Richard Rodgers and Lorenz Hart stage production. Busby Berkeley directed it and Arthur Freed produced it. Class A.

"Intermezzo" with Leslie Howard, Ingrid Bergman and Edna Best

(United Artists, September 22; time, 70 min.)

Artistically, this is as fine a production as one wishes to see, but its appeal will be directed mainly to cultured audiences; picture-goers of the rank-and-file may find it only fair, and even boring. The trouble with it is the story—it is really no story to speak of:—

The hero, a famous concert violinist, happily married and the father of two young children, falls madly in love with his little daughter's tutor, a pianist of great promise, an ardent admirer of his. Realizing that their situation is irregular, she decides to leave him, but he, unable to bear their separation, follows her to the railroad station, and induces her to remain. He deserts his family and takes her to Europe, where they are, or are supposed to be, happy. The girl is informed by her own tutor, a sort of counselor to her as well as to him, that she had won a scholarship, but now she does not want it. He calls on them, and induces her to give him up. The hero returns home just to see his little daughter, whom he adored. While he awaits her outside the school, she sees him and rushes to him. But, in crossing the street, she is run over by an automobile. He rushes the child to her mother. The doctor finds that the child will live. The tragedy to the child becomes the means of reconciliation between husband and wife.

Such a story cannot help being weak for general picture audiences, who do not relish the sight of a happily married man's deserting his family for another woman, no matter how helpless he may be to prevent such a happening.

The best situation is that in which the father is shown talking to his young hostile son and telling him that he, the father, needed him in that hour of trouble, and that some day he, the son, might forgive him for his mistake. Gregory Ratoff's direction is without blemish. The acting of both, Leslie Howard and Ingrid Bergman, is superb.

Highly meritorious, but suitability Class B.

"Dancing Co-Ed" with Lana Turner and Ann Rutherford

(MGM, September 29; running time, 84 min.)

If the producers meant to make a star out of Miss Turner with this picture, they could not have selected a worse story for the purpose. It is not novel, and shows no significant action. Even the contest is won by another character although one is led to believe that it would be won by her. The worst drawback, however, is the fact that the story is based on the deception theme. Miss Turner does a good bit of dancing, and the Artie Shaw orchestra, one of the most popular in the country, does some playing:—

The story deals with the efforts of a film company's publicity agent to "plant" the heroine in a college so that, when the company's radio time and Artie Shaw's band were used to put over a nation-wide campaign to choose a girl to co-star with the film company's leading man in a forthcoming production, the heroine would be chosen. Lana is planted in a mid-western college. She falls in love with the hero, editor of the college's paper. Having sensed that a "plant" might be used to win the contest, he carries out an investigation with a view to discovering the girl. He is shocked when she confesses to him. He advises her not to take part in the contest but she refuses. So he kidnaps her. Although she is freed in time to reach the place and take part in the contest, her friend is chosen as the winner. The hero is naturally glad; they become engaged.

Albert Treyner wrote the story, and Albert Manheimer the screen play. Sylvan Simon directed it, and Edgar Selwyn produced it. Lee Bowman, Thurston Hall, and Leon Errol are some of those in the cast.

Suitability, Class A. It may appeal to young folk.

"\$1,000 Touchdown" with Joe E. Brown and Martha Raye

(Paramount, September 22; running time, 73 min.)

Poor! The Joe E. Brown style of comedy seems to have become outmoded, and the star will have to change it if he should hope to retain a substantial portion of his former following. The spectator manifests no interest in the doings, except perhaps in the football sequences toward the end. Not even the presence of Martha Raye can change one's attitude. Martha Raye's bribing the opposite team by promising them \$1,000 for every touchdown they will let her team make is not very edifying, even in a burlesque comedy.

Screen play, by Delmar Davis; direction, James Hogan. Morally, Class A. Good for a double bill.

"Fast and Furious" with Franchot Tone and Ann Sothern

(MGM, October 6; running time, 73 min.)

A good program murder melodrama, unfolding during the staging of a beauty carnival. There is some comedy, and the spectator is held in tense suspense because of the danger to the life of the hero, who attempts to solve the murder mystery, and because of the fact that it is difficult for the spectator to guess the identity of the murderer. Mr. Tone does good work, and Ann Sothern, as the heroine, wife of the hero, contributes some of the comedy, and aids in the solution of the mystery.

Franchot Tone lends Lee Bowman, a friend of his, \$5,000 with which to buy an interest in a beauty carnival, conducted by John Miljan at a seashore resort. Under the excuse of needing a vacation, Tone takes his wife and goes to the resort. He soon obtains information leading him to believe that Miljan was a crook, and that he intended to abscond with the receipts, and so informs Bowman. Bowman calls on Miljan and demands the return of the money invested by him. Miljan, ridiculing his suspicions, pretends to go to his safe in the next room to get the money. Suddenly the report of a pistol shot resounds and when they open the door they find Miljan dead. Bowman is naturally arrested for his murder. Tone knows that his friend was innocent and proceeds to obtain the necessary evidence to clear him with. During the course of his investigations a second murder occurs. In the end, Tone proves that the murder had been committed by a newspaper reporter.

The plot has been founded on an original story by Harry Kurnitz. Busby Berkeley directed it, and Frederick Stephani produced it.

Being a murder story, it is hardly suitable for children under twelve. Class B.

tures are sold along with the good pictures in a group, then there will be no dissatisfaction among the studio forces, for no executive will long tolerate incompetents, even if they are his relatives, when he sees his pictures bring losses instead of profits.

And, of course, when theatre divorcement is effected, it will be so much better; then we shall have real "democracy" in production, distribution, and exhibition of motion pictures.

Sam Goldwyn says that real economies may be effected, not by discharging low-salary workers, but by readjusting the high-bracket salaries. Mr. Goldwyn is right. But he should go further: he should suggest that all incompetents be eliminated.

MONEY THE PRODUCERS COULD HAVE SPENT MORE PROFITABLY

Some time ago this paper commented on the fact that the moving picture producers have engaged Steve Hannagan, a publicity man de luxe of several large corporations in the United States, to do publicity work for them before and during the trial of the Government suit.

A short time ago, Mr. Hannagan started his work, the first release being an item dealing with the progress of the suit.

In the recent filing of the Government's answer to the demand of the defendants for a bill of more particulars, and the insistence of the Court that the majors answer within ten days, Mr. Hannagan sent out to the trade papers, and no doubt to the newspapers in New York City, copies of the briefs.

So far Mr. Hannagan has done nothing to startle anybody: the documents that he has sent out could have been sent by an office boy of the lawyers who are defending the majors, and the other publicity matter could have been written by any youngster in the office of any of the majors' publicity departments, let alone the publicity heads themselves.

I don't know how much the producers have agreed to pay Mr. Hannagan, but I doubt whether the amount that will be paid him will be less than \$50,000.

There are in this industry publicity men who can show Mr. Hannagan cards and spades when it comes to dealing with what concerns the motion picture industry in a public relations way, but the producers must have felt that none of them would do, perhaps because none of them has been exploited as extensively as has Mr. Hannagan.

From the independent exhibitors' point of view, the failure of Mr. Hannagan to do the work as efficiently as could be done by any number of publicity men already working for the producers is, of course, satisfactory; what prompts this paper to comment upon the fact is to point out one more extravagant waste of exhibitors' money. After all, you, the exhibitor, has to foot the bill.

Isn't it about time that the producers have given some thought about the welfare of the exhibitor? And the only kindly thought they can give about him is to cut film rentals to the bone so as to enable him to survive the present depression.

EXCHANGE EMPLOYEES AS PICTURE THEATRE OPERATORS

The Box Office Digest, of Hollywood, has a strong article by Harry E. Nichols in the September 25 issue condemning the practice of exchange employees owning picture theatres. He says partly:

"A very dangerous and highly illegal practice, that is, if we interpret the U. S. Court's decision correctly in the Texas case, is becoming more and more prevalent in this industry. It is fast becoming a serious menace to the very foundation of competitive relations in the motion picture industry.

"We refer to the practice of exchange employees owning and operating theatres, in direct opposition to the firms' clients and to the detriment of their own companies, while drawing a salary check from a local exchange.

"It is bad enough when a film salesman owns an interest in a theatre and in the case of a manager, unthinkable; but when a district manager is said to own a group of theatres and okays his own contracts for these houses, then it is time somebody focused the full light of publicity on this type of procedure. . . ."

HARRISON'S REPORTS has battled this evil for years, but nothing was done by the home offices to remedy the situation. In some cases, the home office executives had the facts in their possession.

Exposing the evil in the press will not eradicate it; what will compel the exchangemen to give up being in competition with their own customers is for the U. S. Government to win the suit against the producers, now pending in the New York district court. And to win it, the government must have the support of every independent exhibitor; every exhibitor must give to Mr. Turman Arnold, Assistant Attorney General, whatever information he has about such and other matters.

THE GOVERNMENT UNDETERRED IN ITS INDUSTRY ADJUSTMENT EFFORTS

The United States Government continues taking action with a view to straightening out the industry through court action. About two weeks ago the Department of Justice moved for an injunction to restrain the Schine Circuit (of New York and of other states), from further expansion pending the disposition of the suit the Government has against it.

Meanwhile, the government is awaiting the answers to the interrogatories—some sixty odd questions the Department has submitted to the majors, through the New York District Court.

The interrogatories may delay the starting trial date of the case a little, but the answers to the different questions will expedite the suit when trial starts. In the opinion of some exhibitor leaders, the answers to these interrogatories will give the government just the information it needs for the successful prosecution of the case.

And so it seems evident that the government is permitting neither the cry about a Code nor the fear of war to deter it in its determination to clean house in the picture industry.

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FRANK CAPRA'S LACK OF GOOD TASTE

Under the democratic system of our government, a citizen may employ his right to express his opinion without molestation, so long as he does not violate the law.

The right of the citizen to express his opinion freely, however, places on him certain moral obligations. One of such obligations, for example, is to use discretion if the exercise of that right should wound the feelings of other citizens, or if he should present the United States of America abroad in a bad light. He is not compelled to restrain himself by law; he must do so as a result of his ability to discern when his words, his criticisms, may hurt the nation itself—lower it in the estimation of people, abroad as well as at home, particularly abroad.

In producing "Mr. Smith Goes to Washington," Mr. Frank Capra has not exercised such a discretion; he has presented the United States Senate as a body the members of which are elected to their office by the support of crooked politicians, to whom they remain subservient during their term of office.

As an American citizen, I resent Mr. Capra's casting of a reflection upon the integrity of the United States Senate, and I am sure that there will be millions of other Americans who will feel likewise when they see the picture. I resent it particularly in these times, when the whole world is going through strenuous days, and the prestige of this nation may be needed to bring peace among the warring nations. How will the people of other countries feel towards this country when they are made to believe that the United States Senate, the entire Congress for that matter, is controlled by crooked politicians? What faith can they have in such a nation as a promoter of peace?

Unfortunately, nothing can be done to stop the showing of this picture. Nor can anything be done to stop the resentment that will, no doubt, be manifested by Congress when the picture is shown.

Allied States Association must tell the members of the House of Representatives, who will be asked at the next session of Congress to pass the Neely Bill, that this is only a sample of the impotence of the exhibitors to reject a picture that has been sold on the block-booking system, and that Congress must, therefore, make it possible for them to reject such a picture, and similar other pictures, which may offend the sensibilities of the American public. The Allied leaders must start doing so at once.

ARE SILENT PICTURES COMING BACK?

Darryl Zanuck has announced that he has decided to produce a full-length silent-comedy feature, on the Keystone-comedy pattern, to be super-

vised by Mr. Mack Sennett, the originator of those comedies. He has been encouraged to make such a decision, he says, by the reception given to the Mack Sennett silent sequences in "Hollywood Cavalcade."

The writer of this article has held the theory in the last three or four years that silent dramas, produced in the modern technique, will be accepted by the public.

It is true that, wherever I expressed such a theory, I have been told that the public definitely will not accept silent pictures now, but I still hold to that theory; I feel that, if the story should be moving and the action should unfold at a fast pace, there is no reason why such a picture, fitted with music, should not be accepted by the public.

What has made me hold tenaciously to this iconoclastic view is the fact that the present-day pictures are so "gabby" that the picture-going public should feel relieved to get away from the profuse but unnecessary garrulousness of the characters.

The Zanuck effort will not, of course, be a real test, for what Mr. Zanuck has in mind is a slapstick comedy, and not a drama; and only a drama may determine whether silent pictures will or will not be accepted by the public. The success of the comedy Mr. Zanuck will have Mr. Sennett produce, if it should make a success—and I have no doubt that it will—may be owed to the comedy gags rather than to the fact that it is silent. Besides, a comedy such as Mr. Zanuck has in mind to produce will not be altogether silent; it will undoubtedly be accompanied by sound effects.

The benefit that will be derived by the motion picture industry if silent pictures should make a box office success will be so great that some major company should make the experiment; it could make such an experiment with a story of the "B" or "C" magnitude, thus reducing the risk to the minimum, for if such pictures should be accepted by the public the cost of production will be almost halved, for most of the waste takes place in the reshooting of each scene until the director is satisfied that, not only the acting is right, but also the lines are spoken effectively as well as correctly. With the talk removed, two shootings, will do where anywhere from five to twenty, or even more, shootings are now necessary.

Shooting the "B" and the "C" pictures in silent form should benefit the picture makers also in another way: it will prove to them that telling the story by action rather than by dialogue is infinitely more effective. Thus they will see fit to adopt the policy of so telling the story also in the talking pictures. And when they eliminate at least one-half of the dialogue, not to say two-thirds, as it is possible for them to eliminate, the cost will be reduced considerably—to such an extent, perhaps,

(Continued on last page)

"Mutiny in the Big House" with Charles Bickford, Dennis Moore, Barton MacLane

(Monogram, Oct. 10; time, 83 min.)

Take the name "Monogram" out of the introductory title and put in its place "Paramount," "KKO," or the name of any other major company, and you will think that this is one of their very good "B" prison-theme pictures. Although the thrills are not as plentiful as those in big prison pictures of major companies, there are thrills, just the same, and one is held in pretty tense suspense throughout. There is also considerable human interest, caused by the fact that Bickford, a prison chaplain, has faith in Dennis Moore, who had been sent to prison for forging a small check to enable him to buy food for his sick mother. Not even the fact that Moore acts tough all the while induces Bickford to change his mind. And the fact that in the end Moore risks his life to quell an uprising, in which some of the guards had been killed by the leader of the revolt, and the lives of others were in danger, proves Bickford's (Father Joe's) understanding of human nature correct. The thrills are caused by the prison riot, during which Bickford, unafraid of the threats of Barton MacLane to shoot to kill him, unless the warden opened the prison gates to let them escape, walks towards the revolt, enters their territory and pleads with them to spare the lives of the prison guards, whom they held as hostages, and to give themselves up on the ground that their resistance was useless. It is then that the presence of mind of Dennis Moore and his courage bring about the suppression of the revolt.

The situation that shows the priest disregarding the danger to his life, and going into the part of the prison in which the prisoners had barricaded themselves, is supposed to have been taken from an occurrence in real life. The story is by Martin Mooney; the screen play, by Robert Andrews. William Nigh directed it.

Suitability, Class A for adults and for adolescents, Class B for children under twelve.

"Disputed Passage" with Dorothy Lamour, John Howard and Akim Tamiroff

(Paramount, Oct. 27; 91 min.)

A good human-interest drama. The constant conflict between Akim Tamiroff, a famous surgeon, and John Howard, his assistant, keeps one in suspense, for one does not know what the consequences will be. Although the story itself is not novel, it has been given a few new twists. The scenes in war-torn China, which show the misery and suffering of the helpless people on account of the inhuman acts of the enemy, such as bombing of villages and the like, tear at one's heart. These scenes are starkly realistic. The production values are excellent. The romance is an important part of the story:—

Akim Tamiroff, a stern but brilliant surgeon, takes under his wing John Howard, because he recognized a fine surgeon's skill in him. Tamiroff is annoyed to learn that Howard had fallen in love with Dorothy Lamour, a white girl born and reared in China, for he felt that marriage would ruin the young surgeon's career. Calling on Dorothy, he persuades her to give Howard up. Dorothy goes away, leaving behind a note for Howard. He is so distracted that he neglects his work. At last Tamiroff reveals to him why Dorothy had disappeared. Enraged, Howard goes to China in search of her. In a raid by Japanese aeroplanes, he is wounded severely and the village doctor cables to Tamiroff for help. Tamiroff arrives and saves Howard's life. Dorothy learns of the tragedy and goes to Howard. This brings back to him his desire to live. Tamiroff is softened by the sad experience.

The plot has been taken from the Lloyd Douglas novel. Anthony Veiller and Sheridan Gibney wrote the screen play. Frank Borzage directed it, and Harlan Thompson produced it. Judith Barrett, William Collier, Sr., Victor Varconi, and Keye Luke are some of those in the cast.

Class A.

"These High Grey Walls" with Walter Connolly, Onslow Stevens, Iris Meredith

(Columbia, Sept. 21; running time, 82 min.)

A fair prison melodrama. The action is fairly fast, some of the acts of the characters appeal to the emotions of sympathy, and the spectator is held in fairly tense suspense in one of the situations. This is where the prison doctor and the hero, his assistant, are held up at the point of a gun, by one of the convicts while they were performing a serious operation. There is a romance, but it is not of prime importance:—

Walter Connolly, a country doctor (hero), is sent to the penitentiary for having extracted a bullet from a young man and failing to report the matter to the authorities; he had reared the young man and, out of sympathy for him, tried to shield him. At the prison, Connolly is a model prisoner. In time he impresses the prison doctor (Onslow Stevens) with his skill as a physician, and is transferred to the prison hospital. The visiting wife of one of the prisoners is seized with labor pains, but Stevens, dreading childbirth cases because of a tragic experience in his life, instructs Connolly to attend to her. Connolly, however, with a view to curing him of that ailment, insists that he aid him in the case. Stevens thanks the hero after the delivery. While the two were performing a serious operation on a prisoner, another prisoner enters the hospital and, at the point of a gun, tries to make them help him escape, but they refuse to do so until after the operation. The prisoner faints at the sight of the operation and they take the gun away from him. An inmate dies from an overdose of a sedative and the hero is accused of the murder. But the other prisoners, who believed in the hero's innocence, in order to repay the hero for his many kindnesses to them, put a suspect through a third degree and make him confess. The hero is paroled.

The plot was based on a story by Wm. A. Ullman, Jr.; the screen play was written by Lewis Meltzer. B. B. Kahane produced it, and Charles Vidor directed it. Bernard Nedell, Oscar O'Shea and others are in the cast.

Suitability, Class B.

"Mr. Smith Goes to Washington" with James Stewart, Jean Arthur, Claude Rains, Edward Arnold, Harry Carey

(Columbia-Frank Capra, Oct. 19; 2 hrs. and 7 min.)

Very good, but it cannot be compared in entertainment value with either "Mr. Deeds Goes to Town," or "Lost Horizon." Although there are in it many powerfully dramatic situations, the story impresses one as being motivated for the exposing of political crookedness rather than for the presenting of a virtuous hero. The scenes where the hero is framed by the political crooks because he would not fall in line with their schemes are done very well; they awaken deep sympathy for the hero. The scenes where he, inspired and guided by the heroine, stands up and fights in the Senate, holding the floor until he is vindicated, are impressive in the extreme. Mr. Stewart, as the hero, handles his part with skill. Jean Arthur is very good as the hero's private secretary, who knew all about the crooked schemes of those who were framing him. Claude Rains is realistic as the hero's colleague, tool of Edward Arnold, the political manipulator and maker of senators. Harry Carey is very impressive as the Vice President:—

Guy Kibbee, Governor of a western state and a weakling, is inspired by his children to appoint James Stewart as Senator for the unexpired term of a deceased Senator, disregarding the advice of Edward Arnold, head of the political machine. Arnold is at last persuaded to accept him. Thus Stewart, equipped with youthful enthusiasm, patriotism and naiveness, goes to Washington to represent his state in the Senate. But soon he is disillusioned; he learns that his colleague had been taking orders from Arnold for twenty years. Yet he refuses to withdraw his bill for a children's camp in his state, which bill would ruin the machine's chances for graft. Arnold talks to him with a view to making him change his mind, but he refuses to budge; thereupon, Arnold has some papers forged making it appear as if Stewart was interested in the bill financially, and has that colleague demand his unseating. Bewildered, the hero is about to give up when cynical Jean Arthur, his secretary, inspired by his honesty, guides him as to how he could fight for his rights: he takes the Senate floor and, by filibustering, prevents an immediate vote on his expulsion from the Senate. After twenty-four hours he collapses. His colleague, feeling guilty, confesses to the Senate that the hero was telling the truth in everything. Jean Arthur and he become engaged.

The story is by Lewis R. Foster; the direction, by Mr. Frank Capra himself. Others among those in the supporting cast are, Thomas Mitchell, Beulah Bondi, Eugene Pallette and H. B. Warner.

Class A.

"The Flying Deuces" with Laurel and Hardy—an RKO picture. Pretty good. "Missing Evidence," Universal, a good program melodrama. "The Cat and the Canary," Paramount, a good spooky melodrama. Reviews in next week's issue.

"The Pride of the Blue Grass" with James McCallion, Edith Fellowes, Granville Bates

(Werner Bros., Oct. 7; time, 64 min.)

Lovers of horses should enjoy this program picture very well. There is considerable human interest, engendered by the loyalty and the trustworthiness of the young hero, who had been accused wrongly of having "pulled" his horse in a race. The horse who is the center of attraction is fine and proud, and wins one's love. There is no romance, but there is a friendship between the young hero and a young girl, daughter of the owner of the stables. The girl has faith in the young hero and, as a result of it, the young hero gets his chance to show his real character. There is a thrilling horse race:—

The young heroine has faith in the young hero, despite his dead father's bad reputation at race tracks. But her father, a horse breeder, refuses to employ him, and instructs his daughter not to have any dealings with him. The hero, when his house is auctioned off to pay his father's debts, manages to conceal a foal and, before departing, presents it to the young heroine. Months afterwards she hears that he had been arrested as a vagrant and goes to the judge, who was a friend of the family, and has him paroled in her custody. She then prevails upon her father to give him a job. The foal had by this time grown into a spirited horse, but no one except the hero could manage him. Without her father's knowledge, the heroine enters the horse in a race with the hero as the jockey, and the horse wins it. The father is now softened toward the hero, and he allows him to ride the horse in the next race, in which he had bet heavily. The horse loses and the hero is accused of having pulled it. He is unable to convince any one of his innocence. Soon afterwards, however, the horse goes blind. The heroine's father orders that the horse be shot, but the hero hides him. The hero discovers that the horse, when mounted by him, would take any jump and, after training him for a while, enters him in a steeplechase. He wins the race. He thus reestablishes himself with everybody.

The screen play is by Vincent Sherman. William McCann directed it.

Suitability, Class A.

"At the Circus" with the Marx Brothers

(MGM, Oct. 20; 86 min.)

It is about the worst Marx Bros. picture seen in years. Some excitement is caused in the closing scenes, where a circus is brought to a society woman's back yard. There is much horseplay in those scenes.

The story is inconsequential: when Kenny Baker, a society fellow, buys a circus, he is disinherited. Wanting to modernize the show, he seeks to borrow \$10,000. James Burke, his manager, knowing that, with \$10,000 he could make the circus successful, steals the cash money. Thus Kenny is about to lose the circus. Chico, a handyman in the circus, engages Groucho to handle Kenny's legal affairs. With the aid of Chico and Harpo, lawyer Groucho manages to recover the money. Kenny eventually becomes engaged to Florence Rice, one of the circus performers.

The screen play is by Irving Brecher; it was produced by Mervyn LeRoy, and directed by Edward Buzzell.

Children should enjoy it, but hardly any adults. Suitability, Class A.

"Three Sons" with Edward Ellis, William Gargan and J. Edward Bromberg

(RKO, Oct. 13; running time, 72 min.)

Although this picture has been produced as better than one of program grade, it is not good entertainment, by reason of the fact that none of the three sons turns out to be a worth-while person. Even the daughter fails to show any decent traits. It is the Lester Cohen novel "Sweepings," produced by RKO in 1933, with Lionel Barrymore as the father. That picture, too, turned out a poor entertainment, and proved a box office failure, for the very same reasons—because the main characters, with the exception of the father, are unsympathetic. Edward Ellis certainly fails to measure up with Lionel Barrymore; he does nothing but walk through the picture when he does not make speeches. His hard work to build a fortune for his children certainly proves a disappointment, not only to him, but also to the picture-goers. A little comedy here and there redeems the picture somewhat:—

Edward Ellis and Katherine Alexander (wife) arrive in Chicago with their four children just after the fire. They open a small drygoods store and in time they develop it into one of the biggest department stores in the west. The father dreamed of the day when his children would take charge of

the business but he is sadly disappointed: the eldest son toured Europe, spending money in pleasures; although married, he had had an affair with a singer. The father's effort to make him break with her results in tragedy—the uncle is shot and killed by the woman. The daughter marries a Prince and goes through scandalous divorce proceedings. The second son is spineless. The third son, having become involved with a girl, leaves home and becomes a bum. Thus the father is left all alone. The fortune dwindles and the stock is about to be acquired by others when Bromberg steps in and buys it, donating half of it to his former boss. Ellis dies, surrounded by his penitent children, who had been summoned home.

The screen play was written by John Twist. Jack Hively directed it and Bob Sisk produced it. Virginia Vale is the daughter; Kent Taylor, Robert Stanton and Dick Hogan, the sons.

Because of the affairs of two of the sons, suitability, Class B.

"Ninotchka" with Greta Garbo and Melvyn Douglas

(MGM, Nov. 3; running time, 110 min.)

"Ninotchka" is first class entertainment, and of an unusual kind. While it has a powerful romance, the story is in the main a travesty upon the way representatives of Soviet Russia do business in their dealings with the capitalistic world. It is not Soviet propaganda in the least; on the contrary, it "kicks" the doctrines of Soviet Russia. The pleasure comes not so much from the "kidding" itself, but from the way it is done; and by Miss Garbo herself. Heretofore, Miss Garbo has acted either in tragic or in dramatic roles, but this is the first time that she has undertaken a comedy role; and she shows as great an ability. In her dry, unemotional way of expounding the philosophy of communistic Russia in business matters, she should split the sides of those who will see the picture. The romance between Greta and Melvyn is impressive; Melvyn falls in love with her and at no time does he lose his courage in his determination to bring out the woman in her, penetrating the mask that had been superimposed on her by the Soviet philosophy. Sig Rumann, Felix Bressart, and Alexander Granach contribute a great deal of the comedy:—

A committee of three representing the Soviet Board of Trade arrive in Paris to sell jewels that had been confiscated from Grand Duchess Swanna (Ina Claire), head of the White Russians in exile, to buy tractors with the proceeds; the Committee is lodged in the Royal Suite of an expensive hotel. Ina is informed of it by a loyal hotel waiter and instructs her resourceful aristocratic boy-friend (Melvyn Douglas) to stop the sale with an injunction. Although legally he is helpless, Melvyn manages to throw the question of the ownership of the jewels into the courts. The Russian comrades are having the time of their lives living in grand style when the arrival of Comrade Ninotchka (Greta Garbo) brings them to their senses. She permits no nonsense to divert her from her duty to the Soviet. Melvyn accidentally "bumps" against Greta in one of the streets of Paris and, struck by her beauty, pursues her, not knowing who she is. He takes her to the Eiffel Tower and to other places, but her veil of unemotionalism is not penetrated by a display of even the slightest pleasure; she takes every "capitalistic" thing indifferently. But Douglas falls in love with her and is determined to dig out the woman from within her and to make her fall in love with him. When she finds out who he is, she refuses to see him; but he persists. Soon she melts; she buys Parisian clothes and becomes transformed. And what is more, she kisses Melvyn. Through trickery the Grand Duchess gets the jewels and, possession being nine points of the law, she compels Comrade Greta to agree to depart for Russia immediately, leaving Douglas alone, in return for which she signs over the jewels. Greta returns to Russia with the other members of the committee, but she cannot forget Douglas. The Government sends the three Comrades to Constantinople on business but, when they arrive in that city, they spend their time in pleasure. The Commissar sends Greta to bring them back to their senses. When she arrives, her pleasure is indescribable, because Douglas was there to meet her. It was he who had been entertaining the Comrades with the slim hope that the Government would take the very action it had taken before.

The plot has been founded on a story by Melechiur Lengyel; the screen play was written by Chas. Brackett; the picture was directed by Ernst Lubitsch.

Every theatre should run it; morally, it is suitable for everybody, but its appeal is directed chiefly to cultured picture-goers. Class A.

that they will not have to worry much about the reduction in the receipts from the foreign market.

This is a bold suggestion; but one of these days an enterprising executive of some major company will decide to risk a certain sum of money in the production of a silent drama as a test, and if it should prove successful his name will go down to posterity as the industry's benefactor. After all, millions of dollars are wasted each year in the production of unworthy stories; what if a few thousand dollars should be risked to demonstrate the feasibility of something that may save millions of dollars in production?

PENNY-WISE AND POUND-FOOLISH

The October 11 issue of Motion Picture Daily has the following news item:

"Several companies are considering complete elimination of appropriations for newspaper co-operative advertising of their pictures.

"This is being considered along with other cash-conserving proposals which may or may not be included in the retrenchment programs. . . .

"The industry spends about \$1,000,000 to \$1,500,000 annually on cooperative advertising, this representing the distributors' share of first-run theatres' advertising in local newspapers. The expenditure ranges from \$100,000 to \$200,000 per company annually."

In plain language, the decision of some of the major companies means that they will no longer share with the exhibitor in the advertising that is done for their top-bracket pictures in the local newspapers before and during the showing of such pictures.

Sharing in the advertising that is done for percentage pictures is an established custom; it was started by the theatrical industry long before pictures were even dreamed of, and accepted by the moving picture industry when it began roadshowing its first big pictures, such as "Cabiria," "Dante's Inferno" (not the Fox version, but the Italian), and "The Birth of a Nation." To abandon the system now is to forego a practice that has been ingrained in the mind of the exhibitor as the just method of advertising percentage pictures. It will have no other result than to add another cause for exhibitor dissatisfaction.

Those of the major companies that intend to abandon cooperative advertising may save anywhere between \$100,000 and \$200,000. How much they will lose by the insufficient newspaper advertising that will be done on their percentage pictures, as is bound to happen because the exhibitor will feel aggrieved, cannot be computed, for it is one of the losses than can in no way be determined. And how much they will lose by the loss of newspaper good will cannot be computed either.

If they would stop spending anywhere from five hundred to a million dollars on stories that haven't a Chinaman's chance of making good pictures, they will not need to economize on such puny items—puny as compared with other items of expenditure. It is at the studios where the waste is done and not in the advertising of the pictures.

Advertising is the life-blood of a business. Stop the advertising and a manufacturer's business dies of asphyxiation. That is exactly what will happen to the percentage pictures, too, if the producers should stop encouraging the exhibitor to advertise.

DO WE HEAR THE AMERICAN EXHIBITORS' VOICE?

"Possibly the biggest source of unrest in the film business today," says Mr. J. W. Dent, Editor and Publisher of *The Australian Exhibitor* (Sydney), official organ of Australian Motion Picture Exhibitors' Association, "is the tendency of film distributors to abuse the grouping system by consistently enlarging the top groups, and classifying ordinary 'A' features in those groups."

The article continues in a similar vein and points out the fact that, although not the full number of pictures sold on the contract is delivered at the end of each picture season, the shortage is "almost invariably in the lower group," and then says:

"This is a distinct breach of faith with the exhibitor, and it is of such insidious nature that relationships are bound to be bad until it is stopped."

After pointing out the fact that some of the stars that appear in the top-group pictures are "has-beens," Mr. Dent says:

"In fact, most exhibitors believe that the distributors' idea of top groups is to get top money, and what goes into them is of secondary consideration. Repeated short delivery in past years, nearly always in the bottom group, reveals the tendency to make a welter of the top group idea. . . ."

You would think that, when Mr. Dent was writing this article, he was writing for the American exhibitors. He could not have expressed the facts more accurately had he been writing for them, and not for the Australian exhibitors.

At the beginning of the negotiations between the Allied and the distributor negotiating committees, it was decided that the exhibitors be given a cancellation privilege of 10%, 15%, and 20%, the particular percentage in the case of each exhibitor depending on the average amount he paid for the film; but no sooner was this decision announced than the sales forces began to increase the number of pictures in each top group, the intention manifestly being, as the Allied leaders accused, to nullify the cancellation privilege. Only that in Australia there have been no such negotiations; the distributors there just increase the groups and let it go at that.

When the accusation was hurled at the distributor negotiating committee during the Minneapolis convention, the members of that committee assured the exhibitors present that, if any "chiseling" was done, it was done without their knowledge, promising them to issue orders to their sales forces to desist; they stated definitely that may a salesman's scalp would be taken were they to disregard the new instructions.

But "chiseling" is going on, just the same, as I am judging by the letters that I am receiving from exhibitors. The following is a part of the latest letter that I have received from a Chicago exhibitor:

"The situation between the Chicago exhibitors and the distributors has become serious enough to warrant being brought to your attention.

"Despite the national policy announced by Warner, Metro, Fox, etc., shorts and newsreels ARE being forced. Now, I ask, how much do the solemn pronouncements of the distribution heads mean? A salesman offers a deal for \$2,000; and a short subject deal. You don't want shorts? The deal goes to \$2,250 for features. Who's crazy? . . ."

Yes, who?

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"PHONY"!

In a recent issue of his paper, W. R. Wilkerson, the Hollywood sage, wrote a superficially dignified, seemingly sincere, laboriously impressive editorial the object of which appears to be to lead you into believing that the small-cost pictures make you more money than the pictures that cost the producers a million or more, his purpose evidently being to prepare you for the scrapping by the major companies of the high-cost pictures owed you for the remainder of the season without arousing your resentment. Says sage Wilkerson:

"We had an opportunity the other day to go over the figures on releases for the past fourteen months on the product of one of the top majors. Those figures told a great story and one the war had nothing to do with, or would ever have anything to do with. Those figures focussed astonishing grosses on the better bread-and-butter product and disappointing returns on the big shows, running from \$900,000 to \$2,000,000. The figures analyzed proved that [that] great company would have been out of business COMPLETELY had it only released [released only] its big expensive product and, further, if the company had not had those big expensive productions, it would have made more millions than have ever been counted in this industry as a result of the success of its product that ran from \$102,000 to \$485,000.

"After reviewing the figures with the studio exec, we inquired: 'Why in hell do you make those heavy negatives?' He replied: 'We had to make some to prestige our program.' Sounds silly because, for that company to run up such big grosses on its bread-and-butter shows, the exhibitor had to run up substantial profits for his house, so why the prestige shows? Does not such activity further confirm a production vanity that has virtually sunk this business on more than one occasion?"

What Billy Wilkerson, under his barrage of verbiage and complicated sentence structure, means is this: Among the releases of the major company he refers to, the pictures that cost \$900,000 or more, up to \$2,000,000, have lost money for the company, and the pictures that cost anywhere from \$102,000 to \$485,000 have made money, for the exhibitors as well as for the producer—so much money, in fact, that, were it not for the high-cost pictures, the company would have made many more millions of profit, whereas if it had produced nothing but high-cost pictures, it would have been out of business by this time—completely out! He then asked this executive why in the name of common sense he should continue to produce high-cost pictures since the exhibitor makes good profits out of the low-cost pictures, the implication being that, if

the exhibitor allowed the producer to drop the million dollar pictures and produce more low-cost pictures, the exhibitor's profits would be greater; and so would be the producer's.

Wilkerson's whole argument is, in my opinion, "phony"—so "phony," in fact, that it should be apparent at once to any one who would stop to analyze the facts he presents. Just take one of these facts: He says that some of the pictures of this major company have cost \$102,000. I don't know what major company he refers to, since he does not even intimate it, but that should not make much difference, for no major company can make, for that amount of money, pictures that are fit even for a double bill. The studio overhead of the biggest of the major companies ranges anywhere from \$125,000 to \$200,000 per picture, the amount depending on the company. How can a major, then, produce pictures for \$102,000 when his overhead alone is more than that amount of money?

In order that even the newest exhibitor amongst you may understand what "studio overhead" means, allow me to say that this item represents studio maintenance, which includes the salaries of the executives and their bonuses, if any bonuses are paid them. It does not represent anything that goes into the actual production of the picture. If the overhead of a studio is \$200,000 per picture, \$200,000 is added to the cost of production before "shooting" of the picture begins—as soon as the decision to produce a particular picture is made. There is no other way by which studio maintenance can be taken care of. At any rate, adding the proportional studio overhead to each picture has been the practice.

One of his other specious arguments is this: he says that, had this producer made nothing but pictures that cost him anywhere from \$900,000 to \$2,000,000, he would have been "completely" out of business by now. Has any major ever sold you his pictures on the basis that they would cost him these sums? In other words, has any major ever sold you all "A" pictures, without any "B's" and "C's"? Does Mr. Wilkerson know that there isn't one major company but sells you its pictures in four, five, or six groups of different prices? I doubt whether he knows it! If he did, he would not have made such a statement.

Notice particularly the following reasoning: he says that, since you make a substantial profit out of the "bread-and-butter pictures," that is, the pictures that cost anywhere from \$102,000 to \$485,000, you should not complain if the producer in question, whoever he is, should drop from his production schedule the high-cost pictures he has promised you in the beginning of the season, because they

(Continued on last page)

"Sued for Libel" with Kent Taylor, Linda Hayes, Morgan Conway and Lilian Bond
(RKO, released Oct. 27; running time, 66 min.)

A fair program melodrama, suitable for a double bill. Although the production values are good, the story is so-so; it holds one's interest fairly well. Its chief asset is the spectator's difficulty to guess who the real murderer is.

Because of the favorable testimony of the murdered man's wife, Morgan Conway is acquitted on the charge of having murdered his partner and best friend, but Kent Taylor, reporter for a newspaper and dramatizer of courtroom events over the radio, is given the wrong information and announces over the radio that Conway had been found guilty. As a result, Conway instructs his lawyer to bring suit against the Bulletin for damages. Taylor, determined yet to prove Conway guilty of murder, proceeds to investigate him. He is helped by Linda Hayes, who loved Taylor. But they find it difficult to pin the murder on Conway. They then start investigating the death of a girl who was supposed to have killed herself for love of him, Conway. Their investigations lead them to a young doctor, but when Taylor calls on him after an appointment to interrogate him he finds him murdered. In the end, however, it comes to light that all three murders had been committed by Lilian Bond, whose purpose in testifying for Conway was nothing more than to conceal her own crime.

The screen play is by Jerry Grady; the direction, by Leslie Goodwins. Cliff Reid produced it. Suitability, Class B.

"Scandal Sheet" with Edward Norris, Otto Kruger and Neda Harrigan
(Columbia, October 16; time, 65 min.)

A fair double-bill murder melodrama, revolving mostly around the heartless editor of a tabloid paper. There is some human interest, and the action unfolds at a pretty fast pace. There is no romance:—

Otto Kruger, heartless publisher of a tabloid newspaper, attends graduation ceremonies at a college and listens to Edward Norris, a graduating student, extoll in his valedictory the virtues of clean journalism. At the end of the ceremonies, Kruger offers Edward a job in his newspaper. Edward is elated at the offer from so famous a publisher, but he is unaware of the fact that Kruger was his father (evidently out of a love union). On his first assignment Edward has an opportunity to observe how cruel were the methods of those who worked for Kruger's paper and resigns. He obtains a position on a rival paper. The city's reform element is hot after Kruger and he, to stop the leader in his tracks, employs an unscrupulous character to bring to light a skeleton in his closet, if there should be one. But the detective unearths evidence proving that there was something "shady" in Edward's mother's past. Kruger offers him very little for the information, but because the detective wanted an unreasonable sum there is a scuffle and Kruger kills the detective. Edward finds a murder clue and, by following it up, proves to the district attorney that Kruger was the murderer. Kruger is called to the District Attorney's office and is compelled to admit his guilt, but gives self-defense as the motive. At the trial Kruger could have cleared himself but that would ruin Edward and his mother. He keeps his lips sealed, preferring conviction.

Joseph Carole wrote the screen play, and Nick Grinde directed it.

Because of the murder and the unscrupulousness of the newspaper publisher, it is hardly suitable for children under twelve. Satisfactory for others. Class B.

"Call a Messenger" with Mary Carlisle, Robert Armstrong, El Brendel and Jimmy Butler
(Universal, November 3; 64 min.)

A good program melodrama, with some human interest, and with action unfolding at a fast pace. The background is different; it is that of telegraph offices, with telegraph employees as the chief characters. This fact adds to the interest. The theme deals with the reformation of a group of tough boys, from the slums; and it is done convincingly:

While about to burglarize a Postal-Union Telegraph office, Billy Halop (a "Dead End Kid"), a tough boy from the slums, is captured by the police but his pals escape. At the police station Robert Armstrong, district manager for the company, before signing the complaint against him, offers him a job as a messenger; he felt that Billy's reform could be effected better that way than in a reformatory. Billy accepts. Being the head of his gang, he compels also all the others to get jobs as messengers with his company. The influence of the environment, coupled with the charms of Mary Carlisle, effect immediate reform on them all. Billy's brother (Victor Jory) is released from jail and he

and his sister are glad to have him back. Billy tries to make him get an honest job, but Victor persists in the old life. Victor's pals decide to rob the Postal-Union offices. After robbing some of them they decide to rob also the office where Billy was assigned. Victor breaks away from his pals and informs Billy of the contemplated robbery. Billy, armed with a gun, was awaiting. One of the robbers enters, a scuffle ensues, the police are informed, and the robbers are captured, Billy's pals helping the authorities. All the boys are praised by the heads of the company for their loyalty. Robert becomes engaged to Mary.

The story is by Sally Sandin and Michael Kraike; the screen play, by Arthur T. Horman. Arthur Lubin directed it, and Ken Goldsmith produced it. Huntz Hall (another "Dead End Kid"), George Offerman, Frances O'Neil, and the "Little Tough Guys," Haly Chester, William Benedict, David Gorcey, Harris Berger, are in the cast.

Because of the moral lesson it conveys, Class A as to suitability.

"Shipyard Sally" with Gracie Fields and Sidney Howard

(Twentieth Century-Fox, Oct. 20; 79 min.)

Gracie Fields is a first-class drawing attraction in Great Britain; all the exhibitor there has to do is to announce her name in the lobby and the crowds flock to his theatre. But in the United States Miss Fields, though a capable actress, has not gained any popularity, chiefly because of the poor story material given her—that is, poor in so far as American picture-goers are concerned.

The quality of this picture is, from the point of view of Americans, poor, because the story is inconsequential. It deals with a heroine whose father, a card sharp, when stranded at Clydebank, the shipbuilding town, uses all the heroine's money for the purchase of a pub (saloon); he becomes sick of the stage. The heroine, when she hears the bad news, has to make the best of it. She rolls up her sleeves and decides to help her father make it a success. Shipbuilding at Clydebank is suspended and the men become so poverty-stricken that the heroine decides to undertake the mission of calling on Lord Randal, of the Admiralty, in London, to induce him to order resumption of the work. Because she is unable to get near him, she has to resort to deception; she impersonates an American actress, who was to be the chief entertainer at the Lord's. Her identity is discovered before she had a chance to present the petition to Lord Randal and she is ordered out of the house. She flings the petition to his face and goes. When she reaches Clydebank, she is surprised by the great reception given her by the workers. She learns that Lord Randal, impressed by her petition, had ordered resumption of work.

The story and screen play is by Karl Tunberg and Don Ettlinger; it was produced by Robert T. Kane and directed by Monte Banks.

Suitability, Class A.

"Television Spy" with William Henry, Judith Barrett and William Collier, Sr.

(Paramount, Oct. 20; 57 min.)

A nice little picture. It holds the interest pretty well. Although the development of the plot is no different from the development of plots in espionage pictures, in which the villains attempt to obtain blueprints of secret inventions of great military value, the fact that this is the first time that television has been employed as the basis makes the picture somewhat refreshing:—

William Henry, a young inventor, outshouts William Collier, Sr., an old wealthy "crab" and compels him to witness a demonstration of long distance television transmission which he had invented. Collier is so impressed, not only with the young inventor's courage, but also with the possibilities of the invention from a military point of view, that he allots Henry a large sum of money for perfecting it, his intention being to present it to the United States government. While conducting tests he uncovers a "bootleg" station on his own wave length but is unable to locate its position. In time he learns that his own plans had been copied without his knowledge by persons who were trying to obtain the secret so that they might sell it to a foreign government for a large sum of money. But Hines, Collier and those who worked with them succeed, at the risk of their lives, in having the spies arrested. Thus they prevent the delivery of the plans to the agent of the foreign government.

The story is by Endre Bohem; the screen play, by Horace McCoy, William R. Lipman and Lillie Hayward. It was directed by Edward Dmytryk. Some of the others in the cast are Richard Denning, John Eldredge, Dorothy Tree, and Wade Boteler.

Suitability, Class A.

"The Housekeeper's Daughter" with John Hubbard, Joan Bennett, Adolphe Menjou, William Gargan and George Stone

(United Artists-Hal Roach, Oct. 12; 79 min.)

Excellent! It is one of the most intelligently produced, most highly entertaining, comedies that have been made in years. And what is more, it is the kind of comedy that should please everybody—the masses as well as the classes. It is a murder comedy-melodrama, but its mood is almost altogether comical.

The laughs are caused by the situations as well as by the dialogue; often laugh-provoking remarks are drowned out by the laughter.

Most of the situations are unusual. In one of them Gargan, a newspaper cameraman attached to Adolphe Menjou, a star reporter, in order to play a joke on innocent John Hubbard, an aspiring reporter and a naive person, who had been assigned to the murder case on which Menjou was working, telephones to him from another telephone in the newspaper office and, impersonating a gangster, threatens his life. Hubbard becomes so frightened that he tells his boss that he wanted to quit. But the joke was on Gargan, for there were gangsters, and these did plan to harm the hero unless he stopped meddling in the case, in which their leader was implicated.

But the joke was also on Hubbard himself, for he, while in an intoxicated condition, had decided to adopt the methods of Adolphe Menjou. Adolphe had gained prominence by creating stories out of his own imagination. And so Hubbard telephones to his office to give them a story he had decided to fabricate. But while giving to his boss the supposed facts, he was prompted to make corrections by Stone, an idiot, who was acquainted with the details of the murder. The following day the story appears in the newspaper. Hubbard told Menjou that he was ashamed of himself for having pulled such a trick, but the gangsters were wondering how Hubbard could have known of the case, and decided to do away with him.

Another humorous situation is that in which Gargan is shown as having decided to make the "fake" story about the gangsters' threatening the life of Hubbard appear real to the public. He planned to have a rough-looking person stand in front of Hubbard's house while he, Gargan, was snapping a picture so that the public might think that that person was a real gangster. But the joke of it was, when the picture was taken, the person standing at the door was a real gangster, sent by the head gangster to shoot Hubbard for continuing on the murder story.

The doings at Hubbard's house, where the gangsters had gone to manhandle Hubbard, are, not only laugh-provoking, but also exciting. On the roof are Menjou and Gargan shooting fireworks as a sort of advance Fourth of July celebration; within the house are gangsters, holding up everybody. There is excitement on the roof, and excitement within the house, with Donald Meek, the editor of the paper, who had gone to Hubbard to upbraid him for having sent him a fake story, but who had then realized that the story was not fake, hiding behind a desk and summoning police help by telephone. At that moment, Gargan and Menjou, unaware of the presence of the gangsters, descend from the roof and go to the living room where the excitement reigned. Menjou was holding in his hands one of the harmless fireworks that looked like a bomb. Gargan led every one to believe that Menjou was demented, and that what he was holding in his hands was a bomb. Menjou was pretending to be demented, and threatened to blow every one to pieces.

The picture is full of such situations.

The plot has been founded on the Donald Henderson Clarke novel. The screen play was written by Rian James and Gordon Douglas. Hal Roach himself directed the picture. Peggy Wood, Victor Mature, and Louis Alberni, too, are in the supporting cast.

Because it is a comedy, it is suitable also for children, despite the murder theme. Class A.

"The Flying Deuces" with Laurel and Hardy
(RKO, November 3; 68 min.)

A fairly good comedy—better than the average comedy of these stars. The action unfolds at a pretty fast pace, and toward the end there are several thrills, caused by the fact that the two stars, who did not know how to fly a plane, find themselves in a plane in the air. Much horseplay results from their efforts to avoid bumping against either a building, a hill, or flat ground:—

Laurel and Hardy arrive in Paris to have a good time. Oliver falls in love with Jean Parker, the inn keeper's daughter. When he finds out that she is married, he wants

to end it all. They go to the river so that he may jump in it, but Reginald Gardiner, Jean Parker's husband, an officer of the Foreign Legion, meets them accidentally and persuades them to join the Legion. In Africa, they set fire to the laundry and, court-martialed, they are to be shot at sunrise. They escape from jail, go to their quarters, pack their things, and set out to go away when they are apprehended and chased. In their efforts to hide, they enter a plane, but accidentally they touch the proper lever, and the plane starts flying. After many hair-raising experiences, the plane crashes. Laurel escapes unhurt, but Hardy is killed; he becomes reincarnated in a horse, who was nearby, so that he might be near Oliver.

The story and screen play is by Ralph Spence. It was directed by A. Edward Sutherland, and produced by Boris Morros.

Suitability, Class A.

"The Cat and the Canary" with Bob Hope, Paulette Goddard, John Beal and Douglass Montgomery

(Paramount, Nov. 24; running time, 73 min.)

A good spooky melodrama, one of those in which the characters expect a murder, and in which the murder occurs as per schedule but the identity of the murderer remains a mystery. The spectator's interest is held tense by his desire to know whether or not the character who had undertaken to "tag" the murderer will be successful. Some creepy feeling is created because of the "haunted house" atmosphere. There are sliding panels, from behind which the bodies of missing persons fall out; the eyes of portraits hanging on the wall roll; characters scream from fright at eerie happenings; mysterious killings, and the like. And among all these hair-raising doings, there is jealousy and a fairly interesting romance.

The action unfolds in a lonely mansion, situated in one of the Louisiana bayous, where seven persons, all heirs to a fortune, are gathered to hear the will read by the dead man's lawyer. In the end it comes to light that the murders had been committed by one of the heirs, least suspected of the crimes.

The plot has been taken from the John Willard stage play, which was produced in 1922 in New York, playing to 147 performances. It was put into pictures once before, in 1927, by Universal. Although the present version is good, it is not as good as the Universal silent version.

Arthur Hornblow, Jr., produced it and Elliot Nugent directed it.

Although morally it is Class A, it is not good for sensitive youngsters.

"Smashing the Money Ring" with Ronald Reagan, Margot Stevenson and Eddie Foy, Jr.

(Warner Bros., Oct. 21; 56 min.)

*A very good program melodrama, revolving around the efforts of F.B.I. men to uncover a ring of counterfeiters. There are many thrilling situations, caused by the bravery of the government men and by the danger in which their lives are placed. Ronald Reagan does good work as the Government operative. And so does Eddie Foy, Jr., as his co-worker. Joe Downing makes the part of the vicious gangster, which he impersonates, realistic in the extreme. Margot Stevenson is pretty good:—

A gang of counterfeiters use the prison's press for printing money. And through their outside connections they dispose of the bills. Joe Downing, head of the gang, decides to invade a gambling ship for the disposing of the counterfeit money. The heroine's father, an ex-convict, who owned the ship, unwilling to become implicated in the job, has himself arrested so as not to be in the ship when the money was passed out. Reagan and Eddie Foy, Jr., F.B.I. men, who had been assigned to the case, are convinced that the heroine's father was innocent, and have the governor pardon him. But he is found dead—murdered by the gang. Their investigations lead them to a prison. By arrangements with the prison authorities, Reagan enters the prison as a convict. Reagan is taken by the counterfeiters into their confidence. He finally is able to uncover the ring, among whom was a prison guard. Reagan's identity, however, becomes known to the guard, and he is taken for a ride. But he succeeds in escaping. The prison guard is shot and killed by the authorities. Reagan and Margot become engaged.

The story and screen play was written by Anthony Coldewey and Raymond Schrock. Terry Morse directed it.

Because of the fact that the story deals with a crime, it is not for children under 12. Class B.

lose him money; you should permit him to drop them, **without any complaint.** Remember that the dropping of these pictures is done for the purpose, not of eliminating losses, but of making more millions in profits. How do you like that?

Mr. Wilkerson did not think of suggesting to the executive in question that, if he should drop his "prestige" pictures, he should also readjust the exhibitors' contract terms, for an exhibitor would naturally not have agreed to the terms he accepted when he signed the contract had he been told at that time that the high-cost pictures might be dropped altogether.

Has the studio head of the company he refers to inspired this story so as to prepare you for the shock you will undoubtedly feel when you find out later in the season that he has abandoned production of the remaining high-cost pictures? It is my belief that you would want Mr. Wilkerson to answer this question. Until he does, I fear that you, too, may feel that his story is "phony."

IS "TELEVISION SPY" A PARAMOUNT ADVERTISEMENT?

Were it not for the fact that Paramount is interested in television, no question would be made as to the motives of the Paramount executives in producing "Television Spy"; but it is interested, and you, the exhibitors, have the right to inquire into their motives, for the picture is the subtlest appeal to the public for investing money in television shares. As a matter of fact, an inquiry as to the underlying motives of the Paramount executives could have been made even if Paramount were not interested in television, for a television company could not have put out a more effective propaganda for the sale of television shares; and it could not have obtained as large a circulation in any other way.

Moe Wax, too, editor and publisher of the *Film Bulletin*, Philadelphia, comments on the very same subject in his October 21 issue; he says partly:

"Paramount is interested in television. 'Television Spy' is certainly aimed at making the public television-conscious. . . . If Paramount wants to **use your screen to advertise its new side-line**, either let them make a more entertaining picture, or have them pay you for the use of your screen."

No, Mr. Wax! Paramount should not have a choice of two courses; they should under no circumstances be allowed to use your screen even with a more entertaining picture if it were an advertisement, for it will be bad for exhibition in the end. The public resents being "taken in" with pictures that are supposed to be straight entertainment if they should be advertisements clothed as entertainment. This matter was thrashed out thoroughly, and most aggressively, in 1931, when both Paramount and Warner Bros. were compelled, because of hostility on behalf of the newspapers of the nation, to abandon their sponsored screen advertising business, cancelling contracts worth around eight million dollars. It was this paper that had aroused the newspapers to fight the evil, because it felt that it would ruin the picture business.

Paramount owes you an explanation.

CONVENTION INSTRUCTIONS GIVEN TO 20th CENTURY-FOX SALESMEN

At the recent convention of the Twentieth Century-Fox sales forces, the following instructions were given to the salesmen:

Score charge on all 1939-40 contracts must either be connected with the contract agreement or added to the price of the feature.

When making a change in clearance in any locality, the salesman must use his own judgment very carefully, to be sure that he does not make any mistakes and thus put the company in a jam. When making such a change, he must take into consideration what it would cost the company in dollars and cents.

They should obtain more revenue from "Slave Ship."

The bookings on the Gaumont-British subjects, "The Lady Vanishes," "Smiling Along," and "Climbing High," must be improved.

In selling contracts, a salesman must not specify the number of pictures in the last group. The contract must read always, "balance," or "remaining."

Four English pictures must be included in every contract, and the exhibitor is not to have the right of eliminating them in addition to his right to eliminate ten per cent of the other features.

Among the instructions was one to the effect that the salesmen should not high-price a second-run house when in opposition to a first-run house, but to deal with the exhibitor fairly.

I am presenting to you this information for what it might be worth to you.

CONSTRUCTIVE WORK BY THE BALTIMORE EXHIBITORS

"The finest example of cooperative advertising in connection with the campaign (the Golden Anniversary of the motion picture industry, celebrated the first week in October) that has come to our attention," says Mr. Abram F. Myers, in a recent bulletin of his from Washington, "is the full-page ad in the Baltimore papers inserted by the Motion Picture Theatre Owners of Maryland. They have rearranged material now being supplied to make an attractive and interesting page. The member theatres are listed in alphabetical order. The ad recites that it is sponsored by the Maryland Association, 'Affiliated with Allied States Association of Motion Picture Exhibitors.'"

"This is fine group advertising and other organizations would do well to follow this example. If you are interested, write Herman Blum, National Treasurer, and he will send you a copy of the ad—as long as the supply holds out. . . ."

Organization-sponsored advertisements, in addition to arousing the public's interest momentarily to attend motion pictures, have the effect also of making the name of the organization a by-word among the public, and of commanding its respect. It is a healthy condition and cannot help benefitting the members of the organization, for when the organization espouses a cause a large section of the public is inclined to be sympathetic toward it.

The different locals should do institutional advertising more frequently.

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No. 44

THE ELIMINATION PROBLEM

As I told you a few weeks ago, the elimination right given you by the producers needs clarification, for it is difficult for an exhibitor to know how many pictures he is entitled to eliminate from each group by reason of the fact that a group does not always consist of a full unit. There are also other complications, making it difficult for an exhibitor to know how many pictures he is entitled to cancel.

Among those to whom I have written for information has been Gradwell Sears, of Warner Bros. Grad was good enough to send me the following schedule of eliminations for those who are entitled to cancel twenty per cent of their pictures.

- Group 1—Two Pictures: No elimination.
- Group 2—Six Pictures: One elimination.
- Group 3—Twelve Pictures: Two eliminations.
- Group 4—Sixteen Pictures: Four eliminations.
- Group 5—Twelve Pictures: Three eliminations.

The total number of pictures is forty-eight, and the number of pictures that an exhibitor has the right to eliminate, in accordance with this schedule, is ten. This is slightly more than twenty per cent.

If the exhibitor should not take advantage of his elimination right to cancel a picture from a given group, he will have no right to cancel it from the next following group; but he is given the right to cancel all uncanceled pictures from the last group.

The schedule Mr. Sears has sent me does not cover the eliminations of those exhibitors who have the right to eliminate ten per cent of their pictures, but I presume the schedule that was in force during the NRA code will prevail—One picture, if the group should consist of anywhere from five to ten pictures; and none, if it should consist of only four pictures. If the group should consist of fifteen pictures, the exhibitor had the right to eliminate two. I am sure that such will be the practice in the Warner Bros. organization.

Mr. Sears deserves congratulations for the clarity of his elimination schedule.

I have not yet received a statement from Bill Rodgers, of MGM, as to the elimination schedule that he has adopted. I presume that his elimination offer needs a deeper study by reason of the fact that to some exhibitors MGM has given the right to eliminate fifteen per cent of the pictures. This requires the employment of a mathematician to figure it out.

According to some trade papers, Twentieth Century-Fox, too, has granted to the exhibitors the right to cancel ten, fifteen and twenty per cent of their pictures, but no official announcement has yet been made; therefore, this paper is not in a position to state whether this information is accurate or not. I shall try to verify it.

As a matter of fact, some exhibitors have written to this office in an effort to find out whether the report to the effect that Twentieth Century-Fox permits an exhibitor to cancel ten, fifteen or twenty per cent of the pictures, as the case may be, only from the last, or lowest, classification and not from each classification is true or not. If true, they feel that this company's provision for the elimination of pictures is of no value to them whatever.

The same trade papers reported that Paramount, too, has granted to the exhibitors a ten, fifteen and twenty per cent elimination, but some exhibitors have informed this paper that the Paramount salesmen are circumventing this elimination right by offering to the exhibitors, not the entire product, but shortened by the

number of pictures that the exhibitor would cancel were he sold the entire product, at the same time charging them the same price as last year, less an amount of money equalling the prices of these pictures in the last group. For instance, if they charged an exhibitor last season \$5,500 for the 55 pictures they sold him, this season they are selling him only 44 pictures, out of the 55 planned for release, without any elimination, and are asking for them \$5,280, or \$220 less, this difference representing the price of eleven pictures of the lowest group, eleven being the number of pictures that the exhibitor would have been entitled to cancel under the 20% cancellation offer. In other words, instead of allowing the exhibitor to eliminate 20% of the pictures, Paramount is making the elimination for him, but from the lowest group.

To exhibitors who are in the 10% elimination class, the Paramount salesmen are offering only 47 pictures, with no elimination.

The producers are going to use the twenty per cent elimination "gag" in Washington in an effort to defeat the Neely Bill in the House of Representatives at the next session of the present Congress. For this reason, Allied States Association should begin at once to acquaint the members of the House with this matter. The producers should not be allowed to convince even the most innocent House member that the elimination offer will cure the ills from which the industry is suffering. The House should be made to realize that it is necessary that block-booking and blind-selling be outlawed before the industry may recover from the disease from which it is suffering—poor pictures.

Talking again about the trade reforms that some of the major companies have offered, let me say that there are other provisions besides elimination provision that need clarification. For instance, since the distributors have now promised to refrain from forcing on the exhibitors either shorts, newsreels, or trailers, will they accept the cancellation of contracts for such of these subjects as have already been signed, if an exhibitor should feel that he signed them only because he felt that he could not get the features in any other way? Remember that these provisions, according to the announcements, are retroactive with all contracts signed as far back as January 1, this year.

MR. CAPRA'S DOUBLE BLUNDER

In the editorial, "Frank Capra's Lack of Good Taste," which appeared in the October 21 issue of HARRISON'S REPORTS, I stated that Capra's "Mr. Smith Goes to Washington" cast an odious reflection upon the integrity of the United States Senate by presenting some Senators as being devoid of honor.

There is another group of people whom the picture offends, grievously—the newspaper people, for it presents some reporters as being devoid of fine principles, and as "booze hounds."

Private information from Washington, sent to this office the day following the picture's preview, which almost every Senator and most members of the House of Representatives attended, indicated that the legislators were deeply incensed over the insult to the Senate conveyed in the picture; and so were the newspaper people, who sponsored the preview showing. That information has been corroborated by several newspaper items, particularly by the one that appeared in the October 22 issue of the Los Angeles Times. Under the heading, "Mr. Smith in Washington Stirrs Senators—and How!" an exclusive dispatch to that newspaper from Washington said:

(Continued on last page)

"Roaring '20s" with James Cagney*(Warner Bros., October 28; 105 min.)*

Whether picture-patrons will like this picture or not will depend on how they feel to see in their picture entertainment a reenactment of doings in the afterwar bootlegging and racketeering days, or Cagney again as the head of a racketeer ring. Mark Hellinger, the author of this story, tried to build up sympathy for the hero by presenting him as the victim of afterwar conditions, which gave him the choice of either entering the illegal traffic to make a living with, or starving to death. The picture, considering the fact that the story was written by an experienced writer, lacks sustained dramatic power. Here and there one is held in tense suspense, but the suspense is not constant. The chief reason for the picture's inability to grip the spectator and hold him in such grip at all times is the hero's characterization; one is not in sympathy with what he does, even though he may feel interested in his doings somewhat. There is a romance, but it is not the hero who gets the girl. This is a mildly redeeming feature. There are also several thrilling situations:—

Cagney returns from the war with the confidence that he would get his old job at a garage, but is disappointed. Although he tramped the city day after day he is unable to find employment. Accidentally, he comes upon Gladys George, who conducted a speakeasy, and is induced by her to enter the bootlegging business. Selling at first by the bottle liquor manufactured by somebody else, he eventually lands to manufacturing his own poison and employing others to sell it. He employs Jeffrey Lynn, a lawyer, pal in the trenches in France, to protect him from the clutches of the law. He meets Priscilla Lane, to whom he was a dream soldier, and falls in love with her. He induces Gladys to employ her as a singer, and she makes a success. Because his liquor was cheap, he could not get into high places. He calls on Paul Kelly, famous head of a powerful bootleg ring, and asks for a deal; but he is refused. Thereupon, he proceeds to high-jack Kelly's boat. To his surprise, the head on the boat was Humphrey Bogart, also an ex-soldier. Bogart proposes that they become partners. They agree. In highjacking Kelly's warehouse, Humphrey murders one of the guards. Cagney is incensed over the murder. Soon they float into millions. But the stock market collapses and Cagney, not only goes broke, but also loses his girl—she fell in love with Jeffrey. Priscilla and Jeffrey, who did not like the racket and quit, marry. Cagney goes down and down and eventually goes broke. Four years later Cagney, while driving a taxi, for a living, gets Priscilla as one of his fares. She is glad to see him and, when they reach her home, she shows him her four year old boy. Because Jeffrey had been appointed to the district attorney's office, Humphrey, who feared lest Jeffrey reveal what he knew of him, sends word to Priscilla that he would kill her husband. Priscilla rushes to Cagney for protection, Cagney is resentful at first, but he calls on Humphrey just the same. When Humphrey refuses to promise Jeffrey immunity, Cagney shoots and kills him. Humphrey's henchmen kill Cagney. Gladys grieves, for she was in love with Cagney.

Raoul Walsh directed it from a screen play by Jerry Wald, Richard Macauley, and Robert Rossen.

Not suitable for children or for Sunday showing. Good for adults. Class B. Tempo fast.

"Meet Dr. Christian" with Jean Hersholt, Paul Harvey, Dorothy Lovett, Robert Baldwin and Enid Bennett*(RKO, released Nov. 17; running time, 70 min.)*

A sweet picture, with the hero, a doctor, as a character whom one cannot help loving. There is human appeal all the way through, particularly toward the end, where he is shown saving the life of the little daughter of a man who almost persecuted him; it will be hard for one to restrain his emotions in that part. It would have been much better for the picture, however, if the "honey" had not been spread so thick in the first half of the picture, and if it had not dwelt on so many trivial matters, for these faults weaken the picture's effectiveness with the adult trade; they direct an appeal to children too much. Perhaps the strongly emotional ending may redeem these faults. There is a fairly charming romance.

The story deals with Jean Hersholt, a country but able doctor, whose one aim in life was to better the community he was living in. He works toward providing the community with a modern hospital, but he is balked by Paul Harvey, a haughty town pillar, who, as mayor of the city, had in mind improvements on other things, until his own child is injured in an automobile accident; he then bends, and is prepared to follow Hersholt's lead in everything, in this manner hoping to undo the injustices that he had done to him and to express his gratitude for having saved his

child's life. In Harvey's house now reigns peace, which had been shattered by his unreasonable conduct towards the doctor, whom the entire family—wife and two children (Patsy Lee Parsons and Jackie Moran)—loved. Baldwin, the town pharmacist, is accepted by Dorothy Lovett, Hersholt's office nurse.

The screen play was written by Harvey Gates, from a radio idea by Jack Hasty. Bernard Vorhause directed it, and William Stephens produced it.

Suitable for the whole family—Class A.

"Bad Little Angel" with Virginia Weidler, Gene Reynolds, Guy Kibbee, Ian Hunter, Elizabeth Patterson, Reginald Owen, Henry Hall and Lois Wilson*(MGM, October 27; 72 min.)*

Not big but a sweet little picture, the kind that will make every one who will see it talk about it afterwards. It is the acting of Virginia Weidler, as well as of Ian Hunter and of Lois Wilson, that gives it wholesomeness. Virginia is a sympathetic little character, and brings gulps to one's throat frequently. It is her faith that makes people see things in a different light.

It is the story of a little orphan who had been taught by Elizabeth Patterson, who wanted to adopt her, but who died before the fulfilling of her wish, to look into the Bible for guidance whenever in trouble. When Elizabeth died and the miserable old manager of an orphan's home wanted to take her back, she opens the Bible, closes her eyes, sticks her finger into it, and strikes the passage where the Lord had told Joseph to go to Egypt. So to Egypt (New Jersey) she goes. Accidentally, she is befriended by Ian Hunter, a newspaper editor. But because Ian was a fearless and honest editor and would not pull his punches on Guy Kibbee, a skinflint, he loses his job. Kibbee's paint factory catches fire and Ian Hunter, who was chief of the town's volunteer fire department, becomes injured seriously. The brave Virginia and young Reynolds drag Ian out of the burning building. Virginia prays to the Lord to spare Ian's life, and Ian lives. Her prayers also melt the heart of Kibbee; he restores Ian to his position.

The plot has been founded on the book by Margaret Turnbull. Dorothy Yost wrote the screen play. William Thiele directed the picture, which was produced by Albert E. Levy, his first production job, and a good one.

Quality as well as suitability, Class A. Excellent particularly for theatres that cater to a religious element, no matter of what denomination.

"Jeepers Creepers" with Roy Rogers, Maris Wrixon and Leon Weaver*(Republic, October 27; running time, 66 min.)*

A nice little double-bill picture, suitable chiefly for small towns, and for neighborhoods in big cities. A note of cheerfulness runs through the picture, as a result of the method by which the outstanding characters in the picture are shown living. There is in their hearts joyfulness, which is externalized in song and laughter. There are also a thrilling forest fire and a pleasant romance. The title has been taken from the song that was recently fairly popular:—

Young Roy Rogers, sheriff in a hillbilly town, arrests Thurston Hall, haughty and intolerant coal mine operator, because he had violated the forest fire law; he had been fishing in a river nearby with Maris Wrixon, his daughter, and was in no mood to tolerate interference with his liberties. The sheriff takes him to Leon Weaver, mayor and judge of the city. He and his daughter are convicted to spend one day at hard labor. While serving his sentence digging, Hall discovers that there is plentiful coal in the country and determines to buy land for the purpose of starting coal operations. But the simple folk love their land more than Hall's money and will not sell him any of their land. Hall is incensed and, having learned that the simple folk had not paid taxes for years, pays the taxes and assumes title to their properties. With the thugs he had hired, he evicts them from their homes. A forest fire breaks out and Hall, while speeding to get away from it, is pinned under his car, which had overturned. Little Billy Lee, who was in the hills, discovers Hall and, rushing through the burning trees at the risk of his life, brings help. Thus Hall's life is saved. Hall, repentant, promises to undo the wrong that he had done to them all. He also blesses the union of his daughter with the young sheriff.

The story and screen play is by Dorrell and Stuart McGowan. It was directed by Frank McDonald, and produced by Armand Schaefer.

Suitable for every member of the family. Suitability, Class A.

**"20,000 Men a Year" with Randolph Scott,
Margaret Lindsay, Robert Shaw
and Preston Foster**

(20th Century-Fox, October 27; 83 min.)

A very fine melodrama of the air. Pictures of this type produced heretofore specialized more in thrills than in emotional appeal. In this picture the specialization is directed more to the emotions than to thrills, without neglecting thrills, for the scenes that show a youngster, who had not yet received a thorough training in flying, taking off from a dangerous place guided by the hero as to his control of the levers is thrilling. The loss of a wheel in the air, and his subsequent landing the plane without crashing are thrilling in the extreme. The story revolves around the government's decision to teach flying to students of colleges. It has a considerable number of human twists. The Grand Canyon of Arizona is shown from every angle. The story has also a charming romance:—

Randolph Scott, a famous commercial aviator, is suspended for returning to the airport without orders when he struck fog and was concerned with the safety of the passengers. He attributed his suspension to the hostility of Preston Foster, Civil Aeronautics Authority official. He buys a broken down aviation business for sightseeing air-trips, but could not make it go. He was about to turn it back to the creditor bank when the C.A.A. decides to have young college students trained for pilots. Among the fields that Foster selects is Randolph's, and persuades the bank to finance him without Randolph's knowing that he had suggested it. Among the college students that Randolph was training was George Ernest, Foster's young brother. At the first solo flight George so misbehaves that Randolph reprimands him. George then confesses to Randolph that he could not get rid of his fear. Thereupon Randolph encourages the boy and promises to help him get rid of it. Quietly every morning the two were taking off for training. On one of the flights, while they were over a canyon, the boy freezes the levers and Randolph could not control the plane; he then bales out. Randolph lands safely with his plane somewhat damaged, takes another plane and, with Robert Shaw, flies over the spot to locate George. They finally locate him with his parachute caught in a tree overlooking a precipice, and with him hanging from it unconscious. Randolph makes a dangerous landing but, in rescuing George, is injured seriously. Robert pleads with Randolph to let him fly the plane. Under Randolph's instructions, he flies it, but when they are over the airport they are warned that one of the wheels had dropped off. Instructed by Randolph, Robert eventually lands the plane on the one wheel without crashing. Margaret Lindsay (Robert's sister) then consents to her brother's becoming an aviator, and to her marrying Randolph.

Lieutenant Frank Wead wrote the story, and Lou Breslow and Owen Francis the screen play. Alfred E. Green directed it most skillfully. Sol Wurtzel produced it.

Class A.

**"Beware of Spooks" with Joe E. Brown
and Mary Carlisle**

(Columbia, October 24; 68 min.)

Where Joe E. Brown is still popular, "Beware of Spooks" should be considered fairly good entertainment, but the story is nothing to brag about. Most of the comedy occurs in the "Spooky House" of a summer resort, where the hero, in chasing to capture a criminal, goes down slides, mounts stairways the steps of which flatten before he gets a chance to go over the last step, walks over shaking rope bridges, is hit on the face by arms that shoot out from the wall on the slight touch of a lever, and the like. But it is mostly children who will enjoy these doings.

The hero is again presented as a "sap." This time he is a cop, but he loses his badge because of his letting a notorious criminal get away and of other blunders. While out to capture that criminal, he unwittingly assisted another criminal in robbing a bank. For this he is expelled from the police force. He eventually succeeds in capturing the notorious criminal; he performed the brave deed while he was visiting a summer resort with his wife. For this, he is reinstated on the force, as a Sergeant.

The story is by Richard Flourney; the screen play, by the author himself, and by Albert Duffy, and Brian Marlow. It was directed by Edward Sedgwick, and produced by Robert Sparks.

Suitability, Class A.

*Title is BEWARE, SPOOKS!

**"Main Street Lawyer" with Edward Ellis,
Anita Louise, Robert Baldwin
and Harold Huber**

(Republic, Nov. 10; running time, 71½ min.)

Very good. It is mainly a court-room drama, unfolding in a country town, and dealing with the trial for murder of an innocent girl. There is human appeal in the actions of some of the characters. The action unfolds at a fairly fast pace. The presence of Edward Ellis, as an easy-going district attorney with a tender heart, endows the picture with a certain charm. The story has twists that are logical and interesting. The romance is charming:—

Edward Ellis felt guilty because he, as district attorney, had sent to the penitentiary a woman who was innocent, as was proved after her death. To make up for that wrong, he rears Anita Louise, her daughter, born in the prison, as his own daughter, and loved her as such. Harold Huber, a racketeer, was out on bail on a bribery charge and, having learned of Ellis' secret, succeeds in having a change of venue of his case, so that he might be tried in the county seat where Ellis was district attorney. On the day the trial was to begin, Huber calls on Ellis and threatens to expose his secret unless he set him free. Ellis so conducts the trial that Huber is freed. But he had not given up the idea of prosecuting Huber. Having maneuvered his own recalling and the election of Robert Baldwin, his daughter's fiancé, as district attorney, he reveals to Baldwin his plan of having Huber's case reopened, delivering to him the necessary evidence of Huber's guilt. Huber ensnares Willard Robertson, Baldwin's uncle, in a business deal, with the object of receiving help in his case. When Robertson refuses to influence Baldwin to drop the case, Huber murders him. After Huber's flight from Robertson's office, Anita, who had learned that Baldwin was to be there and had gone to become reconciled with him, enters. When she is found there, she is accused of the murder. Defense of Anita seems hopeless at first, but eventually Ellis brings out the proof of Huber's guilt.

The story is by Harry Hamilton; the screen play, by Joseph Krungold. Dudley Murphy directed it and Robert North produced it. Margaret Hamilton, Henry Kolker, Beverly Roberts, and Wallis Clark, too, are in the cast.

Suitability, Class A.

**"Allegheny Uprising" with Claire Trevor
and John Wayne**

(RKO, released Oct. 27; running time, 80 min.)

Whether this country's picture-goers will accept as good entertainment this story, which unfolds sixteen years before the Revolution (1759), will not be known until the picture plays a few theatres. As to quality, it is fairly gripping. It would have been much more gripping, however, had the action unfolded less with dialogue and more with photography. The talk retards the movement considerably. The picture is very ambitious, having been produced on a pretty large scale. John Wayne is not the most romantic hero the producer could have selected; nor is Claire Trevor the best heroine; she fits best in society stories—she is not quite convincing in stories where the heroine must appear hardy and considerably toughened by the struggle for existence. Wilfrid Lawson, as the whisky-drinking, recklessly acting, friend of the hero, does the best work; RKO should put him into more pictures, and give him parts that would do greater justice to his talents. There is a romance between Wayne and Claire:—

The story deals mainly with the efforts of the settlers of a Pennsylvania valley to persuade Governor Penn to forbid the trading of whites with the Indians, because among the articles traded was whiskey, guns and ammunition. Whiskey drove the Indians almost crazy, causing them to destroy the homes of the settlers; it deals also with the stupidity of a British Captain, a person who cared more for forms than for substance. Bent upon making the settlers obey the military edicts, the Captain is unwilling to cooperate with the settlers to the end that the illicit trade with the Red Skins by Donlevy be stopped. As a result, the settlers take matters into their own hands. They send to the Governor proof of Donlevy's guilt. In the end, the Governor sends to the fort his commanding General, who relieves the Captain of his command and frees his prisoners.

P. J. Woldson, the producer, wrote the screen play. William A. Seiter directed the picture. George Sanders and Robert Barrat are in the cast.

Children should enjoy the fighting scenes. Suitability, Class A.

"The United States Senate, which believes itself to have been maligned by the motion picture industry in a current production, is preparing to strike back at Hollywood.

"It is believed that the film moguls are to be wounded where it hurts the most—in the pocketbook. If the expressions of opinion among Senators in the last few days are to be credited, Senate Bill 280, making compulsory block-booking of films illegal, will become a law early in the next session. . . .

"The bill passed the Senate last July 17, and it is now pending before the Committee on Interstate and Foreign Commerce in the House. There it might have remained throughout the next session because of pressure from the motion-picture lobby, but something happened last Thursday night in Washington.

"That something was the world premiere here of a motion picture entitled 'Mr. Smith Goes to Washington,' produced by Director Frank Capra of Columbia Pictures Corp.

"Every Senator and Representative in the capital was invited to be present and most of the remainder of official Washington was there, too. The National Press Club has been lured into sponsoring the affair—to its subsequent regret—and 4000 persons attended the presentation in Constitutional Hall. There were searchlights, radio broadcasters, countless cameramen and other frills. Columbia congratulated itself on having put over a neat publicity stunt. . . .

After saying that the Senators were writhing in their seats because of the scenes that showed the Senate as "smugly acquiescent in the perpetration of the fraud" while the political boss worked together with certain Senators to mulct the voters of an unnamed state, the *Times* correspondent continued:

"Nor was Capra's cynical approach to the political scene confined to the Senate. The picture followed the Hollywood tradition in presenting the press in the person of a consistently stewed reporter.

"Resentment in Congress was high the following day. The indignation might have produced nothing but violent conversation if some Legislator had not remembered the antiblock-booking bill. Very quietly in the last few days several Senators have organized to put that measure over by using their influence with the House.

"The bill, which Hollywood protests will work havoc with the industry's profits, is aimed at the present practice under which the exhibitors are required to lease all of an offered group of films in order to obtain any desired film in the group. It would also make illegal the practice known as blind selling under which films are leased without the exhibitor having an opportunity to ascertain their content."

When in 1931 "Five Star Final," in which a newspaper editor was presented as a heartless person, bent upon printing the news regardless of what tragedy he might bring to people he wrote about, made a big success, there was an epidemic of pictures based on newspaper yarns in which either an editor or a reporter was presented as a scoundrel. The evil became so bad that newspaper people made strong representations to the producers against the practice. If I am not mistaken, the late Mr. Marlen Pew, then editor-in-chief of *Editor and Publisher*, protested to Mr. Will H. Hays, head of the motion picture producer and distributor organization, exacting from him a promise that orders would be sent to the studios to cease presenting the newspaper profession in a bad light. HARRISON'S REPORTS took a prominent part in the campaign against the evil practice by inducing the nation's dailies to join it in prevailing upon Mr. Zanuck, at that time producing for United Artists, to stop the production of "Miss Lonelyhearts," a book that presented a newspaper man as a degenerate person. Mr. Zanuck assured Mr. Bliss, of the *Gazette*, Jerseyville, Wisconsin, and other publishers, that it was not his intention to present the newspaper people in a bad light, and that he would not do so in any of his pictures. And the book was abandoned, even though the title was retained.

For a while, the producers stopped making villains out of newspaper people, either publishers, or editors, or reporters, but in the last two years there has been a tendency to revert to type. Lately there have been several pictures that have presented newspaper people as scoundrels, but no picture has gone so far as has Frank Capra's "Mr. Smith Goes to Washington."

Even if Mr. Capra had not gone so far as the other producers, the slander to the newspaper profession would still have been more damaging, because of the prominence he and

his pictures enjoy. A Frank Capra picture is shown in a much larger number of theatres than is the average picture based on a newspaper yarn, and is therefore seen by many more millions of people. For this, if for no other, reason Mr. Frank Capra should have been very much more careful as to what he puts into his pictures, particularly when it touches upon American institutions or upon prominent professions. Like other producers, Mr. Capra is enjoined from maligning foreign institutions or professions, because the foreign governments have repeatedly protested against anything that touches them. Don't you think, then, that Mr. Capra, and every other producer, for that matter, should show equal respect towards the feelings of people of this nation?

MISLEADING

"A system of national arbitration," says the *Minneapolis Amusements*, "is in prospect in this industry, if the government gives its ok to reestablishment of arbitration outlawed by the Thacher decision of 1929.

"There isn't much discussion of reported plans to reestablish arbitration, but distribution chiefs hope to resurrect that much, at least, of the defunct trade practice code.

"Just how the government will react to proposed reestablishment of arbitration is uncertain, but industry leaders forecast no objection to a setup based on a voluntary settlement of industry disputes.

"Michigan's Allied unit recently demanded some form of arbitration be installed as a means of settling industry disputes."

Evidently *Amusements* ran out of material and was compelled to print such an item, for there is not an iota of correctness in the supposed information that it conveys.

To begin with, the government has already expressed its views as to how it feels toward an arbitration set up engineered by the producers; the letter of Mr. Thurman Arnold, Assistant Attorney General, in charge of the government's case against the major companies, to the distributors' lawyers, has plainly stated those views.

In 1929, Judge Thacher did not outlaw arbitration in the motion picture industry, but merely the system that was then employed in it; as every one of you who was an exhibitor at that time no doubt remembers, that arbitration system was compulsory, supervised and controlled by the Hays association, with the arbitration boards used as collection agencies, even for such sums as sixty cents. It is compulsoriness that the courts condemned, and not arbitration itself.

In regard to the demand by the Allied unit of Michigan for some form of arbitration, let me say that no exhibitor is prevented from having an arbitration clause in his contract—the producers are more than eager to have him request it; but it must be the exhibitor who will request it, without any compulsion on the part of the distributor. Arbitration imposed in any other way will not stand. So it is not necessary for Michigan Allied to worry about arbitration. Let national Allied do the worrying.

MOVING THE STUDIOS EAST

Two weeks ago Mr. LaGuardia, mayor of this city, requested that the producers move their studios to New York, where there are as many facilities, he said, as there are in California. He based his demand on the fact that nowadays most outdoor shots are photographed in the studios, by the processing method. Consequently, the California climate is of no great advantage.

It seems as if Mr. LaGuardia's wish is to be fulfilled soon, if what the newspapers say about the chances of the "Ham and Eggs" system is true; they say that it will be passed by the California voters next week. They say also that the tax payers will be crushed under the burden of this system. If so, then the producers will not require much coaxing to come east; they will do so voluntarily. But if the Mayor wants to offer them facilities, so much the better.

Perhaps moving the studios east will not do any harm to the industry; on the contrary, it might do much good—it might reduce the cost of production considerably, for when the purse is too far away from the man who fills it the contents are not, as a rule, spent so wisely.

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IN DEFENSE OF THE U. S. SENATE

Some trade paper editors have taken me to task for having expressed resentment at the reflection cast on the United States Congress by the theme of the Capra-Columbia picture, "Mr. Smith Goes to Washington," implying that my fight against the theme of this picture is a fight against freedom of expression.

Under "Notes to You From Red," Maurice ("Red") Kann, editor of *Box Office*, said partly the following in the October 28 issue of that paper:

"He [Capra] did not encompass the entire Senate body at all, but for dramatic and narrative purposes centered the corruption angle on one man who recants at the close by dousing himself with a super-generous effort at whitewash. And successfully, too.

"We have been trying to figure out why Pete is excited to a point where he calls upon Allied to pick on the nice and honest Mr. Smith as a catapult to launch renewed attempts at enactment of the Neely Bill. *Little being immune from Hollywood story ingenuity, why should senatorial immunity go untouched? Why gloss over crookedness if it should be lodged in high places like the senate? That very rarefied atmosphere suggests itself to us as a more urgent reason for doing it.* Besides, the effect abroad will not be as catastrophic as Harrison fears it; every nation has its political foibles and all nations are suspect in the functioning of some phases of their political parties.

"Viewpoints such as this of Harrison are shortsighted and potentially even more serious since they evidence a from-within-the-industry desire to further muffle a method of expression which requires more, not less, freedom. Presumably the country may laugh at stock jokes about senators and congressmen, but Hollywood may not touch them.

"*'Mr. Smith,'* actually, is one of the finest expressions of faith in country that the studios have launched. Those who will insist it is the outstanding instance will get no violent argument from us. Capra's method of obtaining results merely varies from the rest. *By pounding away at the evils, of which any individual allegedly alert must be aware, he forcefully drives home the good.*" (EDITOR'S NOTE: Italics not in the original.)

The sum-substance of Kann's editorial seems to be an assertion that "Mr. Smith Goes to Washington" does not cast any reflection on the integrity of the United States Senate, and that Mr. Capra centered the "corruption angle" only on one Senator so as to attain dramatic effects. And after all, he says, this Senator recants in the end. Near the close of the editorial he implies that pictures with a theme such as that of "Mr. Smith Goes to Washington," by pounding away at the evil, the existence of which in the Senate must be known to every person "allegedly alert," drive home the good. In other words, Mr. Kann, as an "allegedly alert" person, knows that corruption exists in the Senate, and that Mr. Capra's picture will drive it out by dealing with it. A pretty daring assertion!

In another part of his editorial, Mr. Kann says that viewpoints such as I have expressed about Capra's picture, coming from within the industry, are dangerous in that they lead the outsiders to believe that there is in the motion picture industry an element that desires the muffling of a medium of expression that requires more, rather than less, freedom.

It is manifest that Red Kann has missed the point altogether: the fight against the theme of Capra's latest picture is a fight, not against freedom of expression, but against the dramatic license to color the United States Senate as being controlled by crooked politicians. Let us look at the facts:

What is the central idea? In other words, what stands out most in your mind after seeing the picture? Is it a fight for the freedom of expression? No! Is it a fight for the

freedom of the press? No! Is it a fight for the freedom of religious worship? No!—none of these. It is primarily the fight of a naive but honest Senator against the control of the U. S. Senate by some dishonest Senators, owned body and soul by a crooked politician, who, failing in his efforts to gag the hero, tries to have him expelled from the Senate on false charges, supported by forged evidence. And the reason for all this was the hero's refusal to withdraw a bill that would have prevented the crooked gang from making millions in graft. That is what stands out most!

It is true that, in this fight, the hero had in mind also the preservation of the people's liberties, for he felt that, if this crooked gang were to succeed in keeping control of our lawmaking body, the liberties of the people would be endangered. But nowhere in the fight is freedom of expression a direct issue.

But even if freedom of expression were a direct issue, Mr. Capra had no right to color the entire Congress as dishonest for the mere purpose of illustrating his point: the end does not justify the means.

It should be noted that, though justice triumphs in the end, the result is brought about not wholly by the efforts of the hero; he had just about lost his fight and was lying prostrate on the floor of the Senate Chamber when the guilty Senator rushes in and makes a melodramatic confession.

Let us not confuse the issue! The objection is, not against Mr. Capra's dramatic work, but against its theme, because it may plant in the minds of those who will see the picture the idea that the U. S. Congress is controlled by crooked politicians. And that is exactly what it does: As a background of his story, Mr. Capra establishes the glorious heritage of the country, from the Declaration of Independence, through Lincoln's Gettysburg address, to the monument of the Unknown Soldier. And, into that setting, he puts the Congress, not of some remote period, but of today—the present Congress:—The identification is made by a reference to the "My Day" column, written by Mrs. Roosevelt, wife of the President of the United States. This Congress, he paints as being controlled by crooked politicians, with whom many of its members share graft.

Such painting is accomplished by the showing of a plot in which at least three members of the House of Representatives and one member of the Senate, colleague of the hero, take part. This Senator, in the Senate for thirty consecutive years, is shown as taking orders from the crooked politician. He so admits to the hero in one scene; he intimates to him that, when he first went to the Senate, he, too, was inspired with high ideals, but that he had to sacrifice them to expediency, leading those who will see the picture to form the opinion that a Senator can render the voters of his state a service only by compromising his principles. Thus the beauty of democratic freedom is overshadowed by the sordidness of sanctioned corruption.

Mr. Capra's defenders may assert that his picture conveys no such impression. If so, let us put it to a test: Why does a first-rank screen player, a player whose services are at a premium, refuse to take a villainous part in a picture? Isn't it because of his belief that his popularity would be killed if he appeared in such a role even in one picture? Those who would see him in such a part would associate his personality with the despicable acts of the villain they had seen him impersonate, and it would take the heroic role of many another picture to disabuse their minds.

Again, why did the Turkish Government protest against the production of the Franz Werfel novel, "Musa Dagh?" Was it because the Turkish Government was opposed to free speech in the United States? Of course not! It was because the picture would have reflected on the honor of the Turkish nation. And why did the Mexican Government

(Continued on last page)

**"On Dress Parade" with the
"Dead End" Kids"**

(Warner Bros., Nov. 18; 62 min.)

A pretty good program picture with the action unfolding in a military academy. It seems as if the producers, realizing that they cannot keep the "Dead End" youngsters mischievous all the time, have decided to reform them by improving their character, manners and conduct. This time, they have taken all except one—Leo Gorcey—to a military academy. Leo had been reared by his widowed mother in the slums for lack of means to rear him in a better environment. But Leo's father (Don Douglas), before his death, asks John Litel, a fellow-officer of the United States Army, to find his son and to look after him. Litel finds Leo but the boy indicates that he did not want to join the military academy. As a result, Leo, with the commendable connivance of a priest, is framed and given the choice of a military academy career or that of a reformatory. Leo chooses the former.

At the academy, Leo is just as belligerent and defiant as he was in the slums until the good example of his classmates and the general environment work a change in him. The crisis that had brought about the change was the serious injury to one of his roommates as a result of his stubbornness and belligerency. He is deeply moved by the crippling of his roommate, who had fallen out of the window to the pavement below.

During a fire, Leo, at the risk of his life, saves the life of a classmate, being burned badly in the act. For this, he wins the praise of all the officers and of every student. "Coventry" is then lifted and he is taken by every student into his heart, particularly by his roommates. He is joyful when he sees his roommate completely recovered.

There is much human interest in the story. Some of the situations are supercharged with emotion. The youthfulness of the actors and their exemplary conduct help the picture.

The story is by Tom Reed; the direction, by William Clemens. Bryan Foy produced it. Frankie Thomas is included in the cast.

Suitability, Class A.

**"Kid Nightingale" with John Payne
and Jane Wyman**

(Warner Bros., Nov. 4; 56½ min.)

A fairly good picture for a double bill. There is some comedy, a few mildly thrilling scenes, and a little singing. Mr. Payne is a good actor, and one who should prove an attraction for the feminine trade, but he deserves a better story than this. Some of the comedy is contributed by Ed Brophy, and some by Harry Burns. Miss Wyman is winsome. The romance is fairly charming:—

In his tour around the country looking for prize-fighting talent for Ed Brophy, much-promising-but-never-delivering Harry Burns reaches Los Angeles. There he comes upon John Payne, a singing waiter working in a cabaret. When John punches in the faces two drunkards because they interfered with his singing, Burns becomes so impressed with his pugilistic powers that he induces him to go to New York with him. In New York, he matches John

against a well-known heavyweight in a short exhibition fight in the gymnasium so as to impress Brophy, but John makes so poor a showing that Brophy leaves before the exhibition is over. Walter Catlett, a has-been fight manager, was present and, seeing possibilities in John's sex appeal to women, makes a deal with Burns to stage exhibition fights around the country, at the end of each exhibition to have John sing a "victory" song. The idea works well and soon they make plentiful money, and John wins fame as a pugilist. In time they return to New York. In New York, John wins every bout. But Jane Wyman, the girl John had met on his first trip to New York and fallen in love with, insists that he give up prizefighting and study operatic singing. Burns and Catlett, in order to prevent him from throwing down the big match they had arranged for him, promise to engage the famous teacher he wanted to give him vocal lessons in the meantime. But instead of engaging the teacher, they engage a wrestler to impersonate the teacher. John is unaware of the deception but Jane exposes it while John was fighting in the ring. John eventually gives up prizefighting to follow his musical inclinations.

The story is by Lee Katz; the screen play, by Charles Belden and Raymond Schrock. George Amy directed it and Bryan Foy produced it.

Suitability, Class A.

**"Heaven with a Barbed Wire Fence"
with Jean Rogers, Raymond Walburn,
Glen Ford and Nicholas Conte**

(20th Century-Fox, Nov. 3; time, 62 min.)

It is not good even for a triple bill, let alone for a double bill. The Twentieth Century-Fox executives should feel ashamed of themselves to produce a picture of this kind. Have they produced it for the purpose of getting around the twenty percent cancellation clause? The story is far-fetched and illogical.

It is the story of three persons, Glen Ford, Nicholas Conte, and Jean Rogers, who meet in the car of a freight train as knights of the road. Nicholas had an itch to travel; Glen had, by scrimping and saving, bought a ranch in Arizona and was going there, and Jean, supposedly a Spanish girl who had entered the country illegally, was going to California to find an uncle. At a hobo camp, they meet philosophical Raymond Walburn, and he joins them when all three beat up a hobo who had insulted Jean. Somewhere in the west, Nicholas is shot in the leg by a farmer for stealing food, and his pals take him to a hospital, where his leg is amputated. Raymond finds Marjorie Rambeau, an old flame, who was conducting a saloon, and decides to remain with her. Glen is compelled to marry Jean to save her from being arrested by the sheriff and sent to Washington for deportation, but she leaves him immediately after their marriage. Glen goes to his ranch and finds that it grew only cactus; but because he loved Jean he decides to remain and make something out of it. He is finally joined by Jean.

Dalton Trumbo wrote the story and collaborated with Leonard Hoffman and Ben Grauman Kohn on the screen play. Ricardo Cortez directed it, and Sol Wurtzel produced it.

You should put this one in the brine.

"Drums Along the Mohawk" with Claudette Colbert and Henry Fonda*(20th Century-Fox, Nov. 10; 103 min.)*

The first part of this picture is considerably slow, and Miss Colbert is considerably "screamy"; she is in hysterics almost all the time, and this is considerably annoying. Evidently the producers characterized her so for the purpose of realism; but no necessity for so much realism existed, particularly when there is danger of predisposing the spectator against her for it. The picture has been photographed in natural color. This makes the outdoor scenery extremely beautiful—there are some shots in it that awe those who love beautiful scenery; but the faces of the characters still appear unpleasantly coppery. The story unfolds in the revolutionary days, and naturally there is fighting. But not so much as one expects: one of the fierce battles is only related, by Henry Fonda; it is not shown in action. The best part of the picture is in the last two reels, where there is action, as a result of fighting, and suspense, as a result of the fact that the lives of the sympathetic characters are in danger. The picture closes with revolutionary soldiers coming to the rescue of the settlers, whom the Indians, friendly to the English, had surrounded, and many of whom they had killed. The sight of the American flag, which the settlers had seen for the first time, makes them burst out in cheers. And this sort of sentiment was taken up by the audience at the Roxy.

The plot has been founded on the Walter D. Edmonds best seller. John Ford directed it and Raymond Griffith produced it. Prominent in the supporting cast are, Edna May Oliver, Eddie Collins, John Carradine, Doris Bowdon, Jessie Ralph, Arthur Shields, Robert Lowery, and Roger Imhof. Suitability, Class A.

"Too Busy to Work" a Jones Family Series*(20th Century-Fox, Nov. 17; time, 65 min.)*

One of the weakest pictures of the Jones Family series. The action keeps unfolding at a fairly fast pace, well enough, but there is very little human interest, and the acts of the characters are not noteworthy. On the contrary, the father is presented as a sort of sap. He is the little town's mayor, who is busy almost every minute of his long day attending different functions, but he devotes little time to his drug store, with the result that his business goes to pieces, while those who "egged him on" to carry on the campaign for funds for the purpose of erecting a hospital were closing lucrative contracts. His patient wife eventually loses her patience; in order to teach him a lesson, she, too, begins attending different functions, even taking part in an amateur play, forgetting cooking as well as looking after the needs of every one in the house, until the husband begins complaining. Everything, however, is adjusted in the end: the husband stops looking after the business of everybody and decides to look after his own business for once; and his wife does the same thing. Happiness is once again established in the household.

The screen play is by Robert Ellis, Helen Logan, and Stanley Rauh. It was directed by Otto Brower, with John Stone as the producer. Suitability, Class A.

"Little Accident" with Baby Sandy, Hugh Herbert, Florence Rice and Richard Carlson*(Universal, Oct. 27; time, 64 min.)*

A nice little program picture, with Baby Sandy contributing most of the comedy, and with Hugh Herbert doing his share of the comedy work. Baby Sandy is as "cute" as ever. There is some human interest, too, and a fairly charming love affair.

All the complications arise when Ernest Truex leaves his fifteen-month-old baby daughter (Baby Sandy) in the office of Hugh Herbert, who, under a woman's name, was writing a syndicated column. In trying to save his job for some silly advice to mothers he had given in his column, he states to his employer that Sandy was his grandchild. While taking Sandy to his home, accidentally he meets Richard Carlson, and is accompanied by him to his home. There Richard becomes acquainted with Florence Rice, Herbert's daughter. Feeling that it would be humiliating to her to have the baby around the house in that people would think that it was hers, she, helped by Richard, leaves the baby on a rich man's doorstep. But Herbert's boss plans a baby contest and wants Sandy to win, and Florence and Richard must bring the baby back. They do bring her back, and the baby wins the contest. Truex again appears on the scene and a wealthy girl, who hoped to marry Richard, tries to make trouble. But Richard spoils her plans. The baby slides down the laundry slide and lands in a laundry basket. She is carried away to the laundry and is about to be dumped into the washing machine along with the washing when Richard, Florence, Truex and Hugh reach the building in time to save the baby. Everything is ironed out, and Florence, who at first objected to marrying Richard, because he was rich and she only a model, agrees to marry him so as to keep Sandy.

The screen play is by Paul Yawitz and Eve Greene. It was directed by Charles Lamont. Suitability, Class A.

THE CORRECT RELEASE DATES OF THE MGM NEWSWEEKLY

Through an oversight, the release dates of the Metro Newsweekly were printed wrong in the last Index. The following are the correct New York City release dates of this weekly:

202 Thursday.....Sept. 21	203 Tuesday.....Sept. 26
204 Thursday.....Sept. 28	205 Tuesday.....Oct. 3
206 Thursday.....Oct. 5	207 Tuesday.....Oct. 10
208 Thursday.....Oct. 12	209 Tuesday.....Oct. 17
210 Thursday.....Oct. 19	211 Tuesday.....Oct. 24
212 Thursday.....Oct. 26	213 Tuesday.....Oct. 31
214 Thursday.....Nov. 2	215 Tuesday.....Nov. 7
216 Thursday.....Nov. 9	217 Tuesday.....Nov. 14

The complete Index will be published again next week.

"TOO MANY HUSBANDS" REPLACING COLUMBIA'S "ARIZONA"

Columbia has announced that Somerset Maugham's play, "Too Many Husbands" will replace "Arizona," production of which has been abandoned, because of the disruption of the European market as a result of the declaration of war.

What provisions has Columbia made for readjusting the contracts of all those exhibitors who bought its pictures on the strength of the Columbia salesmen's representations that "Arizona" would be produced as an outstanding attraction? Perhaps the exhibitors have some rights in such a matter!

protest to the producers several years ago against the practice of showing the villain in almost every western picture as being a Mexican? Did the Mexican Government make that protest because it was opposed to free speech in this country? Perhaps it was because the Mexican Government did not appreciate the honor the villainous roles conferred upon the Mexican nationals!

Production of "Musa Dagb" was, of course, abandoned; and so was the practice of making villains of Mexicans. But some American producers and Red Kann see no objection to making villains out of the nation's lawmakers, because, they say, that is done only for dramatic purposes.

Again! Suppose this picture had been produced in Germany! What would the defenders of this picture's theme say? Suppose it had been produced, not in Germany, not even in Russia, but in England! I venture to say that they would assert that England's purpose was to malign the United States of America and to humiliate it before the world, and the friendship that now binds the American and the British peoples might be torn asunder. I am sure that such is the effect that "Mr. Smith Goes to Washington" would have on them; for that matter on all the American people, if it had been produced abroad. And yet the picture is defended by Americans, just because it has been produced in America, and by Americans, regardless of the fact that it maligns our national lawmaking body. And their defense is based on the flimsy excuse, not borne out by the facts, that it is an exponent of free speech and of free thought.

Red Kann says that an evil, if it should exist even in so high a place as the United States Senate, may be corrected only by pounding away at it with fearlessness and freedom. As a matter of fact, he again implies that such an evil does exist in that body, without pointing out the particular spots where it exists.

Kann may protest that I am giving his words a meaning that he did not intend them to convey, but that is how I interpret them. How else can one interpret his statement, "By pounding away at the evils, of which any individual allegorically alert must be aware, he forcefully drives home the good"?

Even if we assumed, for the sake of illustration, that some congressmen are not all that they should be, how about the great number of them who are honest and true? Don't these deserve to be spared the implication that they are dishonest? By not pointing out the guilty ones, Kann casts a reflection upon the integrity of all alike.

"Presumably," Kann says, "the country may laugh at the stock jokes about senators and congressmen, but Hollywood may not touch them." Red Kann seems not to differentiate between a subject that is treated humorously, as in the case with "Of Thee I Sing," the stage comedy to which he undoubtedly refers, and a subject that is treated seriously, as is the case with "Mr. Smith Goes to Washington." Every one of those who was punned in "Of Thee I Sing" had a good laugh, thus demonstrating that Americans have a sense of humor second to the people of no other nation. The matter with the Frank Capra picture, however, differs, for its story is treated in a serious vein. The dishonest Senator's private confession to the hero, for example, is no act for laughter; he admits to the hero that, in order for him to be able to remain in the Senate, he had to compromise his principles, by subjugating himself to the crooked politician. Nor is an act for laughter his public confession; having eventually felt guilty in his conscience for the despicable part that he had played in the besmirching of the hero's character, this Senator tries to expiate his sin by an attempt to take his own life and when he fails, he enters the Senate Chamber where, to every one's hearing, he admits his guilt.

Nor is the showing of the gagging of the press in the hero's state a matter for comedy: the corrupter of senators is shown using his wealth and influence to prevent the newspapers from printing the truth about the hero, feeding the public lies instead; and when a group of young boy grangers print a paper of their own, in a determination to let the people know the truth about the hero, their idol, this crooked politician hires thugs for the purpose of preventing its circulation, ordering them to run down the boys' trucks, an act which they carry out to the letter, endangering the life of many a youngster.

Red Kann says: "Besides, the effect abroad will not be as catastrophic as Harrison fears it. . . . I am just trying to picture in my mind the glee that Paul Goebbels, the German propaganda minister, will feel when he first sees "Mr. Smith Goes to Washington." He will, no doubt, want every man, woman and child in Germany to see it. Will that do honor to the United States Senate?

PICTURES IN PRODUCTION NOW IN HOLLYWOOD

The following information might be of interest to every exhibitor; it concerns pictures that are in production, some of them about to be completed.

Columbia

"HIS GIRL FRIDAY," with Cary Grant, Rosalind Russell, Helen Mack and Ralph Bellamy, with Howard Hawks producing-directing. It seems as if it is going to be a very good box-office bet.

"COP FROM HELL'S KITCHEN," with Bruce Cabot, Jacqueline Wells, Wynne Gibson, and Harry Carey, with Jack Feir producing, and Charles Barton directing. Cabot has been in action melodramas more or less, and the title indicates that the story is of the melodramatic sort. Wynne Gibson is a good actress; several years ago she made for Paramount a mother-love story that stood out. As to Harry Carey, you know that he is an old experienced actor; he was the cowboy star of old Universal, but in the last few years the producers, having discovered that he has acting talent that entitles him to other parts, have been using him in other types of pictures all along. He took the part of the Vice President of the United States in "Mr. Smith Goes to Washington," and, under Mr. Capra's skillful direction, made it stand out; he endowed it with human qualities.

"MUSIC IN MY HEART," with Tony Martin as the star, and with Andre Kostelanetz's orchestra. Edith Fellows, Alan Mowbray, and Eric Blore are in the cast. Irving Star is the producer, and Joseph Santley the director. It is manifest that this one will be a musical comedy, with good to very good possibilities.

Metro-Goldwyn-Mayer

"BROADWAY MELODY OF 1940," with Fred Astaire, Eleanor Powell, Frank Morgan, Florence Rice and George Murphy. Jack Cummings has been producing and Norman Taurog directing. MGM will, no doubt, make an outstanding musical comedy out of it, in line with the quality of this series of pictures, started in the early years of the advent of sound. The pairing of Fred Astaire with Eleanor Powell should be watched with interest by the exhibitors, in that this will be the first musical in which Mr. Astaire has appeared without Ginger Rogers. The picture should turn out very good, and even excellent, for the box office.

"THE EARL OF CHICAGO," with Robert Montgomery, Edward Arnold, and Reginald Owen. Victor Saville, from England, has been producing, and Richard Thorpe directing. Mr. Montgomery was a big drawing card at one time and still is a good one if the story given him is meritorious. I don't know how this story will fare. It deals with a hero, gangster in Chicago, who finds out that he is an Earl, and who, with Edward Arnold, his lawyer, and a scoundrel, goes to England to take his seat. Eventually he kills Arnold, the double-crosser, and dies for his crime. It will undoubtedly be a powerful melodrama.

"NOT TOO NARROW, NOT TOO DEEP," with Clark Gable, Joan Crawford, Melvyn Douglas, Peter Lorre, Paul Lukas, Edward Bromberg, Betty Compton, John Alredge, Sara Hadden, Paul Fix, Jack Mulhall, Francis McDonald, Eduardo Cianelli and others. Joseph Mankiewicz is the producer and Frank Borzage the director. It is a melodrama of primitive passions and of religion—the novel by Richard B. Sale—a mixture of revolting acts and of religious faith. Among the revolting things there is also degeneracy. There is no doubt, however, that MGM has altered the plot radically and should make a powerful picture out of it; and since the cast is formidable and the director of the first rank, there is no reason why it should not turn out an excellent box-office attraction.

(Continued next week)

PERCENTAGE COST OF OPERATING A PICTURE THEATRE

From time to time exhibitors write to this office asking for information relative to the percentage cost of each item in the operation of a picture theatre. Here are the figures that a wide-awake exhibitor has given me:

Rent, 15%; Film, 30%; salaries, 20%; heat and advertising, 6%; light and power, 4%; taxes, 3%; incidentals, 2%; depreciation, 3%; maintenance, 3%; miscellaneous, 2%; profit, 12%.

The figures for heat and advertising may be revised to give advertising a larger percentage.

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PICTURE PATRONS DO NOT PREJUDGE —THEY "AFTERJUDGE"

"In an effort to get the facts," says *The Hollywood Reporter* of November 7, "why shouldn't this great industry go direct to its customers to find out what it wants to know? . . . why not carry this case to the homes of the ticket buyers? Why not a census of public opinion?"

"Why not find out from the people . . . what they want in pictures . . . the type of stories they like the best? . . ."

Mr. Wilkerson is wrong again: Paramount tried it many years ago; it used to include in each film shipment a blank to be filled out by the exhibitor and to be mailed to the Home Office indicating the type of pictures the picture-goers preferred, from their expressions, either among one another, or from the patrons to the exhibitor. But that system failed; it wasn't sound.

For the producers to be able to learn from the picture-goers what type of stories are best presupposes an understanding of drama on the part of every picture-goer. Such a supposition is, of course, preposterous, for Mr. Wilkerson must know, or at least should have known by this time, that judging story material requires aptitude first, and training in addition. How does he expect the picture-goers, then, to do the work that only a person who has the aptitude, and is trained, can do?

If it were so easy for untrained persons to judge story material, there is one more reason why it should be done much more easily by the producers themselves. According to such a theory, then, there should be no poor pictures produced. Why, then, is the proportion of poor pictures so great, year after year? It doesn't make sense.

This suggestion of Wilkerson's reminds me of the questionnaire that *Motion Picture Herald* sent to the exhibitors several years ago in an effort to help the producers produce such pictures as would sell. Under the theory that the exhibitors, who come in contact with the picture-going public, should be able to tell what pictures the public likes best, the exhibitors were asked to state the kind of stories that should be produced. I don't know how many of you read the answers, but let me say that, if the producers took the exhibitors' advice given through that questionnaire, the industry would have gone broke long ago. With the exception of a suggestion here and there that was good, the stories suggested were the greatest conglomeration of trash imaginable.

Complaints about the poor quality of pictures from exhibitors, at exhibitor conventions and

through letters to the trade press, are made almost weekly. Just recently Ray Branch, president of Allied Theatre Owners of Michigan, on the occasion of his organization's annual meeting, issued a broadside demanding that the quality of the pictures be improved. But he didn't say how it could be done.

The producers in Hollywood try to find an excuse for the extraordinary number of trashy pictures put out each year on the ground that there is scarcity of good story material; they say that there aren't four hundred good stories to be had each year. And that is the reason, they say, that they make poor pictures. They point to the stage, stating that, out of the fifty or sixty plays produced each year, only a few of them make a box office success. Why should the moving picture producers, then, make a greater proportion of good pictures, when the two arts are so related to each other?

The number of good stories that may be drawn out of life each year is as great as is the number of combinations in a checker board. All it requires is experience, a little imagination, a little knowledge, a sympathetic heart, and the proper mediums through which such stories are to be interpreted.

Do you doubt it? Let us take one case:

"Cinderella" is certainly a pretty old story—as old as the hills. Would any one of you ever imagine that it would make a picture that would have a wide appeal among adults? Hardly many of you! And yet it has been done most successfully in Universal's "First Love." It is nothing but the story of "Cinderella"; only that it is in modern dress. Joe Pasternak, the producer, aided by Henry Koster, the director, took this story, made a change here and there, and, with Deanna Durbin to interpret it, he has produced a picture that should satisfy the majority of picture-goers. Mr. Pasternak substituted the servants of the house for the Fairy Godmother; they effect Cinderella's transformation by furnishing her with a dress bought by them although the heroine was led to believe that it was her old dress, made over by one of the servants. For the pumpkins and the mice, turned into a beautiful carriage with full-blooded horses, they furnish her with the master's automobile. The "Prince" is there! The slipper is there; and Deanna loses it, just as Cinderella had lost it! And the twelve o'clock time is there, and the near tragedy that followed Cinderella's forgetfulness was not left out—everything is there, even to the jealous half-sisters, in the form of one cousin, who was jealous of the heroine's success at the ball. Not even the sensation that Cinderella had created by the beauty of her

(Continued on last page)

"The Phantom Strikes" with Wilfrid Lawson, Sonnie Hale, John Longden and Alexander Knox

(Monogram, November 15; time, 58 min.)

Even though this crime picture has been produced in England, it is not a bad melodrama for a double bill in theatres in this country, for it has been produced pretty well; it succeeds in holding one's interest pretty tense.

The center of activities is Wilfrid Lawson, a criminal lawyer, head of a gang of crooks, who, when he receives from "The Ringer," whose sister had taken her own life because of Lawson, a floral piece with a note that he was to die at midnight on the date on which his (The Ringer's) sister had died, is visited by the police, who had received word from Lawson's valet, offering him protection. But Lawson, fearing detection of his own activities, shows no interest. But the police surround the place just the same. Despite the vigilance of the police, Lawson is found dead at the exact time of the note. Longden, police inspector, brings to light the fact that the murder had been committed by Alexander Knox, who, posing as a great criminologist, had been assisting the police to solve many crimes. Knox takes poison and dies.

The screen play is by Sidney Gilliat. The picture was produced by Michael Balcon; it was directed by Walter Forde.

Because it is a crime picture, it is not generally suitable for children. Class B.

"We Are Not Alone" with Paul Muni

(First National, November 25; time, 111 min.)

Although a sombre subject, "We Are Not Alone" will go down in the industry's history as among the greatest achievements of the screen. While looking at the picture the spectator forgets that he is looking at a make-believe world; he thinks that he is looking at real-life occurrences. So artistically are the parts acted. One feels the joys and the sorrows of the characters as if they were sorrows and joys of one's own. One feels deep sympathy for the unfortunate hero, and as much love for little Raymond Severn as if he were one's own son, and one gets to hate Flora Robson, who takes the part of the hero's wife, for being so mean and contemptible, and when she dies of poison, taken by her accidentally, one does not feel sorry for her but feels pity for the innocent sufferers, the hero and the young girl whom he had befriended, and who had learned to love the hero's son, the boy reciprocating that sentiment. But Miss Robson's acting is great. The scenes at the courtroom, where the hero and the young woman are tried for the murder of the hero's wife, are tense. It is an English court, and the atmosphere is realistic to the extreme; and for this, it is interesting. Una O'Connor, as the "sneaky" maid, friendly with the hero's wife, does an excellent piece of acting. Little Raymond Severn does not act; so natural is he. As for Mr. Muni, it seems as if the work he does in it has been equalled in artistry only in "Louis Pasteur." He is kind and tender hearted, bearing the madness of his wife with patience and fortitude, never once allowing himself to be ruffled by a woman who would have driven most people to despair. Jane Bryan distinguishes herself by her wholehearted and skillful acting:—

Paul Muni tries to teach his wife to understand their six year old son a little better but in vain. The boy loves his father but almost detests his mother, and when Jane Bryan comes into his life, he becomes attached to her, because she was kind toward him—Jane had attempted to take her own life because she had not been able to find remunerative work, and Muni had happened to be on the scene and treated her. He tries to help her. One day he went to a summer resort with her and took his son along; the boy had so much fun, and felt so friendly toward the girl, that Muni, for the boy's sake, met her often. Flora, his wife, is informed of it and, cunningly, induces Muni to bring her home to become a servant to them. This Muni gladly does. But soon Flora shows her mean streak; sending the boy to her brother, she orders Jane out of the house. Muni tries to reason with her on the ground that Jane had no place to go, but in vain. So Muni at last decides to take her himself to a place in a town nearby with the hope of getting her placed. During their absence, the boy comes back home and, when he breaks a bottle containing poison tablets, he picks up the contents and puts them in a bottle containing headache tablets. Flora, in the habit of taking headache tablets often, takes one that day and it happens to be the poison tablet. As a result, she dies. Muni and Jane are arrested and, after a sensational trial, in which the two had been accused of having poisoned Flora deliberately to satisfy their love instinct, are condemned to death. The efforts of the attorney for the defense to persuade Muni to allow him to put little Raymond on the stand are of no

avail; Muni, fearing that the court proceedings would have left their mark upon so sensitive a nature as that of Raymond's, forbids it. Thus Muni and Jane go to their doom, though innocent. (The last scene shows Raymond taking a bath and looking with his big eyes at the clock, which showed that the time was nine o'clock, the time that his father and the girl were to die.)

The plot has been founded on the James Hilton novel; the screen play is by James Hilton and Milton Krims. Edmund Goulding directed it, under the supervision of Hal Wallis.

Suitability, Class A.

"Sabotage" with Arleen Whelan, Gordon Oliver and Charley Grapewin

(Republic, October 13; running time, 66 min.)

Even though the development of the plot in some situations is illogical, "Sabotage" is not a bad program melodrama, for its action is pretty fast, and it holds the spectator in fairly tense suspense. Moreover, it covers a ground that is somewhat different from the ground covered by other espionage pictures. There is some human interest, and a fairly charming love affair.

This time the background is furnished by an aeroplane factory constructing bombing planes for the U. S. Government. But all bombers built on a new model are wrecked because of espionage work, and Gordon Oliver (hero), a mechanic in the aeroplane factory, is accused of being connected with the ring, because there were found in his locker at the shop drawings, and he could not convince the authorities that they were merely efforts of his to progress in his work so as to earn promotion. He is arrested by the F.B.I. as a spy and things look dark for him until Grapewin (his father), undertakes to uncover the guilty persons. With the help of several members from the Old Veterans' Home, he succeeds, by following several clues, in uncovering the spy ring, thus clearing his son's name.

It is an original screen play, by Lionel Houser and Alice Altschuler. The picture was produced by Al Wilson, and directed by Harold Young. Lucien Littlefield, J. M. Kerrigan and others are in the supporting cast.

Suitability, Class A.

"Laugh It Off!" with Constance Moore, Johnny Downs, Hedda Hopper and Cecil Cunningham

(Universal, December 1; time, 63 min.)

A nice program picture, produced as lavishly as many of the big pictures. There is human interest, and there are some humorous situations. And the action is pretty fast. It is the kind of picture that could be paired with a big picture on a double bill with far greater suitability than could an out and out gangster, or crook type, of picture. The cast consists chiefly of women, young and old. There is also a mildly charming romance:—

When the Spencer Home for Retired Ladies goes bankrupt through mismanagement, the group of old-lady show girls who had put their savings in the establishment are left "flat." At a conference, consisting of Marjorie Rambeau, Hedda Hopper, Janet Beecher, Cecil Cunningham, and Paula Stone, it is decided that the group follow Cecil to New York to seek work. In New York Cecil seeks and finds Johnny Downs, her nephew, a promising young lawyer with musical inclinations, in an effort to get some kind of settlement for the money they had lost. They find that the only member of the Spencer family left was Constance Moore, a promising young singer, and that she had given up her last cent to keep the Home from closing. Thus Johnny and Constance become acquainted. The old ladies go to William Demarest, proprietor of the Hunt Club, for jobs. That moment the Club is raided and the ladies are taken before Judge Edgar Kennedy. Edgar gives them thirty days in which to show that they can earn their own living, failure meaning their dispatch to some old ladies' home. Demarest, because he owed a racketeer a large sum of money and could not pay, disappears. Consequently, when the old ladies are freed they decide to open the Club. They take the Clubs' chorus girls into their confidence and all agree to help. The Club, giving acts performed by young as well as by old ladies, and with a band that had been formed by Johnny, helped by the newspapers, is a hit, and when Demarest returns and is caught by the racketeer, Cecil intervenes and induces him to cancel the debt for an interest in the Club. The racketeer consents. Johnny and Constance become engaged.

The story is by Lee Loeb and Mortimer Braus; the screen play, by Harry Clork. Albert S. Rogel produced and directed it.

Suitability, Class A.

"First Love" with Deanna Durbin*(Universal [1938-39], November 10; time, 84 min.)*

Very good. This is Deanna Durbin's first grown-up part and she handles it with her customary ability and charm. Although the story is just a simple modernized version of the "Cinderella" tale, it keeps one amused, for it has human appeal, and is wholesome and comical; moreover, the performances are good. All the Durbin pictures have been produced with care and with lavish backgrounds, but this one is "tops" in lavishness, thus adding to its entertainment value as far as women are concerned. The romance has been handled well, in a sort of humorous vein, without making Miss Durbin seem too grown up. She is as refreshing as ever, and sings extremely well:—

Miss Durbin, an orphan, leaves finishing school to take up residence in the home of her millionaire uncle (Eugene Pallette). She does not receive much attention from the family, for Pallette's wife (Leatrice Joy) was flighty and scatter-brained, his daughter (Helen Parrish) mean and concerned only with receiving publicity in society columns, and his son (Lewis Howard) lazy. Miss Durbin's only friends were the household servants. Following Miss Parrish's orders to use her wits in preventing a young society man (Robert Stack) from leaving the country club before her arrival, Miss Durbin resorts to tricks to keep him at the club without revealing her purpose for doing so. When Miss Parrish arrives Miss Durbin runs back home; but she cannot forget Stack. The servants, learning that Miss Durbin's heart was set on going to a ball to be given by Stack's parents, pool together their resources and buy her a beautiful formal outfit. But at the last moment, Miss Parrish finds an excuse to make her stay at home. Again the servants come to Miss Durbin's rescue! With the help of a motorcycle policeman (Frank Jenks), brother to the cook, they prevent Miss Parrish and her party from arriving at the ball; and they send Miss Durbin there with a motorcycle escort. Stack is charmed by her, particularly after she sings. But following the servants' instructions, she is compelled to rush home at the stroke of twelve. In her rush, she leaves one of her slippers on the stairway. Miss Parrish learns what had happened and creates a scene; she discharges all the servants. Miss Durbin, heart-broken, returns to her school in an effort to obtain a position as music teacher. But the schoolmistress, who loved her, contrives to bring her together with Stack.

Bruce Manning and Lionel Houser wrote the screen play, Henry Koster directed it, and Joe Pasternak produced it. In the cast are June Storey, Charles Coleman, Kathleen Howard, Marcia Mae Jones, and others.

Suitability, Class A.

"Remember" with Robert Taylor, Lew Ayres, Greer Garson, Billie Burke, Reginald Owen and George Barbier*(MGM, November 10; running time, 82 min.)*

Not much of entertainment. There isn't much human interest in it, and the comedy, which is of the sophisticated kind, is not such as to make one notice it. The action barely holds one's interest. There are unentertaining pictures for which one may blame the producers, but not in this instance; the idea of making the hero and the heroine drink a potion that made them forget what had happened to them for six months previously seems to have struck them as a good one, and so it would have struck many others, but it has not "clicked." There is a romance.

It is the story of a friend (Lew Ayres), who introduces his fiancée (Greer Garson—she first became known here in "Good-bye Mr. Chips") to his best friend (Robert Taylor), and loses her to him. They get married. A doctor was working on a new chemical discovery that would make those who would drink it forget their experiences for six months previously. Ayres gives both Robert and Greer the potion in an effort to find out how it would work, and both forget that they had married, and that they had divorced themselves. Consequently, when they come face to face again they relive their lives—they begin courting each other, and otherwise going through the same routine, even to the detail of the elopement. And on their way to the judge for the marriage ceremony they are again arrested for speeding, and by the same motorcycle cop, and are again able to get out of it by telling him that they were eloping. The amazed cop again conducts them to the judge's. It is the judge who had performed the first ceremony, but because he knew that they had divorced themselves, he remarries them.

The screenplay is by Corey Ford and Norman Z. McLeod; Mr. McLeod also directed it. In the supporting cast are Laura Hope Crews, Sara Haden, Halliwell Hobbs, Paul Hurst, and others.

Suitability, Class A.

"The Covered Trailer" with James, Lucile and Russell Gleason*(Republic, November 10; time, 63 min.)*

This family comedy, another in the series of the "Higgins Family" pictures, is just moderately entertaining program fare. In an effort to provoke laughter, the screen play writers forced the action to the point where it becomes annoying. As a matter of fact, the picture should appeal mostly to the juvenile trade, for the plot is too silly for adult consumption. The performances are adequate and the production values fairly good:—

Expecting to receive \$10,000 on an annuity policy, James Gleason prepares to take his family on a trip to South America. But Lucile spoils everything when she confides to the insurance man that her husband was 44 years old and not 45, as the policy required. No money, no trip! Realizing they would be the laughing stock of the town if they did not go away, Gleason and the family decide to hide out with grandpa (Harry Davenport), who had been planning a fishing trip. While they are gone, news reaches the town that the boat on which the Gleasons were supposed to have sailed had been sunk and that the Gleasons had drowned. Hobart Cavanaugh, who worked as Gleason's assistant in the bank, falsifies the books to make it appear as if Gleason had stolen \$100,000, which he himself takes. Word reaches Gleason about the theft and the scandal. He decides to rush back to town in order to clear his name. With the help of his daughter's fiancé, who worked in the bank, Gleason, after many exciting experiences, finally proves Cavanaugh's guilt and re-establishes himself with the bank. The following year, when he collects his insurance money, he and the family actually leave for South America.

Jack Townley and M. Coates Webster wrote the story, and Jack Townley, the screen play; Gus Meins directed it. In the cast are Mary Beth Hughes, Tommy Ryan, Maurice Murphy, Maude Eburne, Spencer Charters and others.

Suitability, Class A.

"Reno" with Richard Dix, Gail Patrick and Anita Louise*(RKO, December 1; running time, 72 min.)*

A fairly good program picture. It could have been much better, because the story material is good, but it seems to have gone wrong in the treatment. The story opens near the finish, and is told in flashback; and because the writer failed to ingratiate the hero with the spectator, one does not feel the interest he should have felt in the hero's fate. As a matter of fact, one does not know the specific reason why he was on trial; it is not revealed until the picture picks up the story's threads where they were left off. Even then, one fails to feel warmth toward him despite his self-sacrifice, because at no time is he shown as a character deserving one's warm sympathy, for he is a gambler, a former lawyer who had been disbarred because of unethical practices. The "sting" could have been removed with the right kind of treatment. Yet the picture holds one's attention pretty tense, because the hero's doings are fairly interesting. It should fit well on a double-feature program:—

Richard Dix, an aspiring young lawyer, goes to Reno, an insignificant Nevada town, to practice law. Unable to interest Charles Halton, the town's most prominent lawyer, to give him a job, Dix opens an office of his own. He induces Gail Patrick, who worked for Halton, to work for him and, in a short time, he marries her. They have a daughter. Soon he gains fame among the miners and works up a big practice. But the mines shut down and the town becomes dead. Dix then conceives the idea of making Reno the divorce center of the United States. He succeeds, but because he had been employing unethical practices he is disbarred. He goes away and years later he returns and, under an assumed name, opens a gambling hall. But he conducts it honestly. Anita Louise comes to town for a divorce and gambles at Dix's place. When Dix finds out that she was his daughter, and that her husband was a good fellow, he tries, to all appearances disinterestedly, to persuade her to go back to him and, when he is unable to do so, he has the roulette wheel so rigged up that she is made always to lose, in this manner hoping to save her from the tragedy of a divorce. Anita discovers the rigging and has Dix arrested. At the trial, Dix reveals his identity and tells the jury the reason for which he had resorted to that act. When Louise finds out that she had arrested her own father, she refuses to testify and the case is thrown out of court. Father and daughter are reconciled, and she takes his advice about going back to her husband.

The story is by Ellis St. Joseph; the screen play, by John Twist. John Farrow directed it and Robert Sisk produced it. In the supporting cast are Hobart Cavanaugh, Laura Hope Crews, Joyce Compton, and others.

Suitability, Class A.

person and the gorgeous clothes she had worn had been overlooked. But what a charming story Mr. Pasternak has concocted out of all these old facts! And simply because he used a little imagination, and was guided by his big heart, not to say anything about his experience and training.

Yes, there is nothing that can be done to improve the proportion of box-office successes to the box-office failures: those who have experience, training, imagination and the heart, and have the proper mediums by which they can make the interpretation of their concoctions, will always make good pictures; those who do not possess such assets will keep on making box-office failures. And no human being can change the conditions, not even if most relatives were discharged from whatever high posts they may occupy.

It is useless to ask picture patrons what stories they like best. They don't know! All they know is whether they like the picture they have seen or not! It is up to the studio heads, then, to give a chance to those who have imagination, training, experience and a big heart to do their work unhandicapped. It is the only way by which a greater proportion of box-office successes may be produced.

COLUMBIA'S SHORT "FUTURAMA" AN ADVERTISEMENT

"The 'Highways and Horizons of 1960' exhibit, starring the internationally-famous 'Futurama,' which proved the outstanding attraction of the New York World's Fair," says a statement sent to the trade papers by Columbia Pictures Corporation on October 24, "now is to feature a one-reel special release . . . released by Columbia Pictures Corporation. . . . It will be brought to the nation's screens next [this] month under the title of 'The World of 1960' . . .

"The 'Futurama' has been the outstanding attraction at the New York World's Fair, playing before 5,000,000 visitors, drawing capacity crowds every day from early morning until closing time, with thousands lined up outside the entrance to the 'Highways and Horizons of 1960' exhibit to gain admission to this remarkable display. . . ."

The Columbia statement as to the number of people that visited this show and as to the lines that formed outside the exhibit in an effort to gain admission, which was free, is absolutely correct. I myself had to use influence to gain admission by the side-door to see it without having to wait two hours in line.

There is, however, one fact—a very important fact, which Columbia studiously avoided stating. It is the fact that the 'Futurama' was produced by General Motors, as an advertisement of its cars. It was in the same building as the General Motors exhibit.

My information is to the effect that General Motors placed this reel with Columbia without charging anything for the cost of producing it, and that Columbia is going to charge you a rental for it. If my information is correct, then Columbia is going to use your screens for advertising purposes without your knowledge, and naturally without your consent, and without paying you for it instead of charging you for the use of the reel.

Columbia's studious effort to avoid informing you that this is a General Motors advertising reel leads me to believe that my information is correct as to its having obtained this reel from General Motors free, and perhaps get paid for it.

Even if it had paid for it, the fact that Columbia tried to "sneak" it into your theatres without informing you first that it is a General Motors advertisement is an act that is, in my opinion, reprehensible in the extreme; but my information is to the effect that it got it free. Ask the Columbia exchange for the facts of the matter. Or you might write to Abe Montague, general sales manager, Columbia Pictures Corporation, 729 Seventh Avenue, New York, N. Y.; he ought to give you the facts.

Whichever the case, you should run this reel, because the show captured the imagination of the public. My motive for writing this editorial is my desire to see you either get paid for its showing, if Columbia is charging General Motors a certain price in accordance with the number of people that will see it at your theatres, or at least to get it free of charge, if Columbia is not charging General Motors anything for the showing.

PICTURES IN PRODUCTION NOW IN HOLLYWOOD

Metro-Goldwyn-Mayer

(Continued from last week)

The following are additional pictures that are now in production at the MGM studios:

"The Shop Around the Corner," with Margaret Sullavan and James Stewart in the leads, and with Frank Morgan, Joseph Schildkraut, Sara Haden, Inez Courtney and others in the cast, to be produced and directed by Ernst Lubitsch. Since his appearance in "Mr. Smith Goes to Washington," Mr. Stewart has become more popular, and since Miss Sullavan has a large following, and the picture will be produced by Mr. Lubitsch, producer of the successful "Ninotchka" with Greta Garbo, there is no reason why this picture is not going to turn out a very good to excellent box office attraction, even though no story has been given out to enable one to judge it better.

"Congo Maisie," with Ann Sothorn, John Carroll, Rita Johnson, J. M. Kerrigan, and Forrester Harvey, to be produced by J. Walter Ruben, and to be directed by H. C. Potter. Evidently this is going to be a program picture, suitable for double bills.

"Florian," with Robert Young, Helen Gilbert, Reginald Owen, Charles Coburn and others, directed by Edwin L. Marin, an able director, and produced by Winfield Sheehan, producer of many roadshow successes while head of the Fox studio. The Felix Salten novel, upon which this picture is founded, is, as forecast in the May 20 issue of HARRISON'S REPORTS, very good; it has human interest and glamour. Consequently, Mr. Sheehan should make a very good picture out of it. Robert Young has a considerable following. Helen Gilbert is a newcomer, but Mr. Sheehan's tests of her proved so satisfactory that the studio put her under contract.

(To be continued next week)

IN TWO SECTIONS—SECTION TWO
HARRISON'S REPORTS

Vol. XXI

NEW YORK, N. Y., SATURDAY, NOVEMBER 18, 1939

No. 46

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Law of the Pampas—Paramount (71m.)	Not Reviewed
Legion of Lost Flyers—Universal (63 min.)	159
Little Accident—Universal (64 min.)	179
Main Street Lawyer—Republic (71½ min.)	175
Meet Dr. Christian—RKO (70 min.)	174
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Nancy Drew and the Hidden Staircase—Warner Bros. (60 min.)	Not Reviewed
Ninotchka—MGM (110 min.)	167
Oklahoma Frontier—Universal (58 min.)	Not Reviewed
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Those High Grey Walls—Columbia (82m.)	166
Three Sons—RKO (72 min.)	167
Too Busy to Work—20th Century-Fox (65 min.)	179
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RELEASE SCHEDULE FOR FEATURES

Columbia Features

(729 Seventh Ave., New York, N. Y.)

1938-39 Season

9010	Blondie Takes a Vacation—Singleton	July 20
9033	Behind Prison Gates—Donlevy-Wells	July 28
9008	Coast Guard—Scott-Dee-Bellamy	Aug. 4
9018	Man They Could Not Hang—Karloff	Aug. 17
9017	Five Little Peppers and How They Grew—Edith Fellows	Aug. 22
9209	Riders of Black River—Starrett (59m.)	Aug. 23
9034	Konga, The Wild Stallion—Fred Stone	Aug. 30
9002	Golden Boy—Stanwyck-Menjou	Sept. 5

(End of 1938-39 Season)

Beginning of 1939-40 Season

1025	Hidden Power—Jack Holt	Sept. 7
1201	Outpost of the Mounties—Starrett (63m.)	Sept. 14
1015	Those High Grey Walls—Connolly	Sept. 21
1010	U-Boat 29—Veidt-Hobson	Oct. 7
1031	Scandal Sheet—Kruger-Munson	Oct. 16
1101	Mr. Smith Goes to Washington—Stewart	Oct. 19
1011	Beware Spooks—Joe E. Brown-Carlisle	Oct. 24
1032	Miracle of Main Street—Abel-Margo	Oct. 25
1020	The Stranger from Texas—Starrett (54m.)	Nov. 2
	Blondie Brings Up Baby—Singleton (re.)	Nov. 9
	The Amazing Mr. Williams (The Incredible Mr. Williams)—Blondell-Douglas	Nov. 23
	Cafe Hostess—Foster-Dvorak	Nov. 30
	I Married Adventure—Mrs. Johnson	Dec. 1
1211	Taming of the West—Bill Elliott (55m.)	Dec. 7
	Fugitive at Large—Holt-Ellis	Dec. 7
	His Girl Friday—Grant-Russell	Dec. 25

First National Features

(321 W. 44th St., New York, N. Y.)

367	Angels Wash Their Faces—Sheridan	Aug. 26
376	Everybody's Hobby (The Hobby Family)—Rich-O'Neill-Moran	Aug. 26

(End of 1938-39 Season)

Beginning of 1939-40 Season

452	The Old Maid—Davis-Hopkins-Brent	Sept. 2
461	Dust Be My Destiny—Garfield-P. Lane	Sept. 16
469	No Place to Go—D. Morgan-Dickson-Stone	Sept. 23
462	Espionage Agent—McCrea-Marshall	Sept. 30
463	On Your Toes—Zorina-Albert-Hale	Oct. 14
470	Smashing the Money Ring—Reagan-Foy, Jr.	Oct. 21
	We Are Not Alone—Muni-Bryan-Robson	Nov. 25
	The Return of Doctor X—Morris-Lane	Dec. 2
471	Private Detective—Wyman-Foran	Dec. 9
	Four Wives—Lane Sisters-Rains-Lynn	Dec. 25

Grand National Features

(50 Rockefeller Plaza, New York, N. Y.)

315	Children of the Wild—Valerie-Bush	Oct. 14
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Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

- 6 Fast and Furious—Tone-SothornOct. 6
9 Babes in Arms—Rooney-GarlandOct. 13
8 Marx Bros. "At the Circus"—Rice-BakerOct. 20
10 Bad Little Angel—Weidler-ReynoldsOct. 27
7 Ninotchka—Garbo-Douglas (reset)Nov. 3
11 Remember?—Taylor-Garson-Ayres-Burke ...Nov. 10
13 Another Thin Man—Powell-LoyNov. 17
12 The Secret of Dr. Kildare—Ayres-Barrymore-
AtwillNov. 24
Joe and Ethel Turp Call on the President—
Sothorn-Stone-BrennanDec. 1
2 Henry Goes Arizona—Morgan-WeidlerDec. 8
Nick Carter, Master Detective—PidgeonDec. 15
Judge Hardy and Son—Rooney-StoneDec. 22
Balalaika—Eddy-Massey-Ruggles-MorganDec. 29

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

- 3815 Sky Patrol—John TrentSept. 9
3808 Mr. Wong at Headquarters—KarloffSept. 25
3831 Fight for Peace—Special (65 min.)Sept. 30
3803 Mutiny in the Big House—BickfordOct. 25
3857 Overland Mail—Randall (56 min.)Oct. 31
3816 Danger Flight—John Trent (reset)Nov. 1
(End of 1938-39 Season)

Beginning of 1939-40 Season

- 3936 Crashing Thru—James Newill (61 min.)Oct. 1
Riders of Destiny—Wayne reissue (58m.) ..Oct. 20
Sagebrush Trail—Wayne reissue (59m.)Oct. 20
3937 Fighting Mad—James Newill (60 min.)Nov. 5
3919 Heroes in Blue—Purcell-Hayes (59 min.) ..Nov. 7
3923 The Phantom Strikes—Hale-LawsonNov. 15
Roll, Wagons, Roll—RitterNov. 25
Yukon Flight—James NewillDec. 1
Gentleman from Arizona—MacDonaldDec. 4
West of the Divide—John WayneDec. 10
Lucky Texan—John WayneDec. 10

Paramount Features

(1501 Broadway, New York, N. Y.)

- 3907 Television Spy—Henry-BarrettOct. 20
3908 Disputed Passage—Lamour-TamiroffOct. 27
3955 Law of the Pampas—Boyd (71 min.)Nov. 3
3909 The Cat and the Canary—Hope-Goddard ...Nov. 10
3910 Rulers of the Sea—Fairbanks, Jr.Nov. 17
3911 Our Neighbors, the Carters—BainterNov. 24
3912 The Night of Nights—O'Brien-BradnaDec. 1
3913 Llano Kid—Guizar-Dunn (69½m.) (re.)...Dec. 8
3914 All Women Have Secrets—Allen, Jr.Dec. 15
Gulliver's Travels—CartoonDec. 22
The Great Victor Herbert—Connolly-
Martin-JonesDec. 29

Republic Features

(1776 Broadway, New York, N. Y.)

1938-39 Season

- 857 Wall Street Cowboy—Rogers (66 min.)Sept. 6
848 Rovin' Tumbleweeds—Gene Autry (64m.) ..Nov. 16
(End of 1938-39 Season)

1939-40 Season

- 961 The Kansas Terrors—Three Mesq. (57m.) ...Oct. 6
913 Sabotage—Whelan-OliverOct. 13
914 Jeepers Creepers—Weaver Bros.-RogersOct. 27
905 Main Street Lawyer—Ellis-A. LouiseNov. 3
915 The Covered Trailer—Gleasons (63 min.)Nov. 10
952 Saga of Death Valley—Rogers (58 min.)Nov. 22

RKO Features

(1270 Sixth Ave., New York, N. Y.)

1938-39 Season

- 936 In Name Only—Lombard-Grant-FrancisAug. 18
935 Conspiracy—Lane-HayesSept. 1
986 The Fighting Gringo—Geo. O'Brien (reset) ..Sept. 8
934 Fifth Avenue Girl—Rogers-ConnollySept. 22
946 Everything's on Ice—Dare-KennedyOct. 6
(more to come)

Beginning of 1939-40 Season

- 003 Full Confession—MacLaglen-EilersSept. 8
002 The Day the Bookies Wept—Penner-Grable..Sept. 15
001 Nurse Edith Cavell—Neagle-Oliver-Pitts ..Sept. 29
004 Three Sons—Ellis-Gargan-K. TaylorOct. 13
012 Sued for Libel—K. Taylor-L. HayesOct. 27
010 The Flying Deuces—Laurel-Hardy (re.)Nov. 3
061 Queen of Destiny—Neagle-WalbrookNov. 3
081 The Marshal of Mesa City—O'BrienNov. 3
006 Allegheny Uprising (Allegheny Frontier)—
Wayne-Trevor (reset)Nov. 10
005 Meet Dr. Christian—Jean HersholtNov. 17
011 That's Right, You're Wrong—Kyser-Menjou..Nov. 24
008 Reno—Dix-Patrick-Louise (reset)Dec. 1
007 Vigil in the Night—Lombard.....Postponed

Twentieth Century-Fox Features

(444 W. 56th St., New York, N. Y.)

- 006 Charlie Chan at Treasure Island—TolerSept. 8
011 The Rains Came—Power-Loy-BrentSept. 15
008 Stop, Look and Love—Rogers-FrawleySept. 22
009 Here I Am a Stranger—Greene-Dix-Joyce ..Sept. 29
010 The Escape—Richmond-Duff-Gale-Norris ...Oct. 6
007 Hollywood Cavalcade—Faye-AmecheOct. 13
061 The Road to Glory—Reissue (101 min.)Oct. 13
014 Pack Up Your Troubles—Withers-RitzOct. 20
018 Shipyard Sally—Gracie Fields—S. Howard ..Oct. 20
013 20,000 Men a Year—Scott-Foster-Lindsay ..Oct. 27
062 The First World War—Reissue (78 min.) ...Oct. 27
019 Heaven with a Barbed Wire Fence—Rogers..Nov. 3
015 Drums Along the Mohawk—Colbert-Fonda ..Nov. 10
016 The Jones Family in Too Busy to Work—
Prouty-ByingtonNov. 17
020 Day-Time Wife—Power-Darnell-BarnesNov. 24
021 Charlie Chan in City in Darkness—TolerDec. 1
022 Inspector Hornleigh on Holiday—HarkerDec. 1
026 Barricade—Faye-Baxter-WinningerDec. 8
024 The Honeymoon's Over—Erwin-Weaver.....Dec. 15
025 The Blue Bird—Temple-Jason-Sondergaard..Dec. 22
012 The Cisco Kid and the Lady—RomeroDec. 29

United Artists Features

(729 Seventh Ave., New York, N. Y.)

- They Shall Have Music—McCrea-Heifetz-Leeds..Aug. 18
Intermezzo: A Love Story—Howard-Bergman...Sept. 22
The Real Glory—Cooper-Leeds-Niven-OwenSept. 29
Eternally Yours—L. Young-D. NivenOct. 6
The Housekeeper's Daughter—J. Bennett-
Menjou (reset)Oct. 26
City for Sale—Pat O'Brien-Ruth TerryNov. 23

Universal Features

(1250 Sixth Ave., New York, N. Y.)

A3031	The Forgotten Woman—Gurie-Briggs	July 7
A3008	Unexpected Father—Auer-O'Keefe	July 14
A3007	I Stole a Million—Raft-Trevor	July 21
A3003	When Tomorrow Comes—Dunne-Boyer	Aug. 11
A3002	First Love—Durbin-Palette (reset)	Nov. 10

(End of 1938-39 Season)

Beginning of 1939-40 Season

4051	Mutiny on the Black Hawk—Arlen-Devine	Sept. 1
4010	The Under-Pup—Cummings-Grey	Sept. 1
4044	The Mikado—Kenny Baker	Sept. 8
4059	Desperate Trails—Brown-Baker (58m.)	Sept. 8
4024	Hawaiian Nights—Downs-Carlisle	Sept. 8
4017	Two Bright Boys—Cooper-Bartholomew	Sept. 15
4027	The Witness Vanishes—Lowe-Barrie	Sept. 22
4014	Rio—Gurie-Rathbone-Cummings	Sept. 29
4073	All Quiet on the Western Front— Reissue (93 min.)	Sept. 29
4035	Hero for a Day—Louise-Foran-Grapewin	Oct. 6
4052	Tropic Fury—Arlen-Devine	Oct. 13
4059	Oklahoma Frontier—Brown (58 min.)	Oct. 20
4019	Little Accident—Sandy-Herbert (re.)	Oct. 27
4074	The Road Back—Reissue (79 min.)	Nov. 3
4020	Call a Messenger—Carlisle-Armstrong	Nov. 3
4053	Legion of Lost Flyers—Arlen-Devine	Nov. 3
4030	One Hour to Live—Bickford-Nolan (re.)	Nov. 10
	Tower of London—Karloff-Rathbone (re.)	Nov. 17
	The Invisible Man Returns—Hardwicke- Price-Grey	Nov. 24
	Chip of the Flying U—Brown-Baker (55m.)	Nov. 24
	Laugh It Off—Downs-Moore (63 min.)	Dec. 1
	Man from Montreal—Arlen-Devine-Sutton	Dec. 8
	West of Carson City—Brown-Baker (55m.)	Dec. 15
	Missing Evidence—Foster-Hervey	Dec. 15
	The Big Guy—McLaglen-Cooper	Dec. 22
	Green Hell—Fairbanks, Jr.-J. Bennett (re.)	Dec. 29
	Destry Rides Again—Dietrich-Stewart	Postponed

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

Beginning of 1939-40 Season

419	Nancy Drew and the Hidden Staircase— Granville-Litel-Thomas	Sept. 9
418	Pride of the Blue Grass—Fellows	Oct. 7
403	The Roaring Twenties—Cagney-P. Lane	Oct. 28
411	Kid Nightingale—Payne-Wyman	Nov. 4
402	The Private Lives of Elizabeth and Essex— Davis-Flynn-deHavilland	Nov. 11
	"Dead End" Kids on Dress Parade—Dead End Kids-Litel-Thomas	Nov. 18
420	The Mad Empress—Novara-Atwill-Nagel	Dec. 16
	(415 "A Child Is Born" has been temporarily withdrawn)	

SHORT SUBJECT RELEASE SCHEDULE

Columbia—One Reel

1801	Bows and Arrows—World of Sports (9m.)	Sept. 29
1751	Little Lost Sheep—Fables (7m.)	Oct. 6
1602	Charles Goodyear—Fools (11m.)	Oct. 6
1901	Washington Parade #1—Smithsonian Institution (9½ min.)	Oct. 6
1653	Community Sing No. 3—(10m.)	Oct. 13
1503	Dreams on Ice—Color Rhapsody	Oct. 20
1852	Screen Snapshots No. 2—(reset)	Oct. 27
1552	Modern Cities of India—Tours (10m.)	Oct. 27
1802	Jai-Alai—World of Sports	Nov. 3
1504	Mountain Ears—Color Rhapsody	Nov. 3
1654	Community Sing No. 4	Nov. 17
1553	Beautiful Switzerland—Tours	Nov. 17
1853	Screen Snapshots No. 3	Nov. 24
1702	Millionaire Hobo—Phantasy	Nov. 24

Columbia—Two Reels

1938-39 Season

9170	The Black Raiders—Overland #10 (16m.)	Sept. 22
9171	Foiled—Overland #11 (17m.)	Sept. 29
9172	The Warning—Overland #12 (17m.)	Oct. 6
9173	Terror in the Night—Overland #13	Oct. 13
9174	Crumbling Walls—Overland #14	Oct. 20
9175	Unmasked—Overland #15	Oct. 27

(End of 1938-39 Season)

1939-40 Season

1423	All American Blondes—All Star (16m.)	Oct. 20
1424	Teacher's Pest—C. Chase (16m.)	Nov. 3
1425	Not Yet Titled—Buster Keaton	Nov. 17
1403	Three Sappy People—Stooges (17m.)	Dec. 1

Metro-Goldwyn-Mayer—One Reel

1938-39 Season

S-912	Football Thrills of 1938—Smith (10m.)	Sept. 16
W-890	One Mother's Family—Cartoons (9m.)	Sept. 30
S-913	Set 'Em Up—Pete Smith (10m.)	Oct. 7

(One more cartoon to come)

1939-40 Season

M-73	A Failure at Fifty—Miniatures (10m.)	Oct. 7
T-52	Natural Wonders of Washington State— Traveltalks (9 min.)	Oct. 7
C-132	Dad for a Day—Our Gang (11m.)	Oct. 21
S-101	Let's Talk Turkey—Pete Smith (10m.)	Oct. 27
T-53	Quaint St. Augustine—Traveltalks	Nov. 4
M-74	Mendelssohn's Wedding March—Min. (8m.)	Nov. 4
S-102	Ski Birds—Pete Smith (8m.)	Nov. 18

Metro-Goldwyn-Mayer—Two Reels

P-815	Think First—Crime Doesn't Pay (21m.)	Sept. 9
P-816	Drunk Driving—Crime Doesn't Pay (21m.)	Oct. 28

(End of 1938-39 Season)

Paramount—One Reel

J8-6	Popular Science No. 6—(10m.)	Aug. 4
T8-11	Yip Yip Yippy—Betty Boop (6m.)	Aug. 11
A8-12	Sweet Moments—Headliner (10m.)	Aug. 11
V8-12	Breaking the News—Paragraphic (10m.)	Aug. 25

(End of 1938-39 Season)

Beginning of 1939-40 Season

R9-1	Hydro-Maniacs—Sportlight (9m.)	Sept. 1
K9-1	Ecuador—Color Cruise (9m.)	Sept. 1
A9-1	Artie Shaw's Class in Swing—Headliner (10 min.)	Sept. 8
J9-1	Popular Science No. 1—(10m.)	Sept. 15
V9-1	Public Hobby Number One—Paragraphic (10½ min.)	Sept. 22
R9-2	A Desert Adventure—Sportlight (9½m.)	Sept. 22
C9-1	The Fresh Vegetable Mystery—Clas. (7m.)	Sept. 29
D9-1	The Blue Danube Waltz—Sym. (9½m.)	Sept. 29
A9-2	Ted Fio Rito and His Orchestra— Headliner (10½ min.)	Oct. 6
K9-2	Peru—Color Cruise (8½m.)	Oct. 6
R9-3	Catching Whoppers—Sportlight (9½m.)	Oct. 13
L9-1	Unusual Occupations No. 1	Oct. 13
V9-2	Busy Little Bears—Paragraphic (9½m.)	Oct. 20
A9-3	Moments of Charm of 1940—Headliner	Oct. 27
D9-2	Merry Wives of Windsor—Syn. (8½m.)	Oct. 27
R9-4	A Dog Is Born—Sportlight (9½m.)	Nov. 3
E9-1	Never Sock a Baby—Popeye (5½m.)	Nov. 3
K9-2	Popular Science No. 2	Nov. 3
K9-3	Chile—Color Cruise	Nov. 10
V9-3	Bits of Life—Paragraphic (10m.)	Nov. 17
L9-2	Unusual Occupations No. 2	Nov. 17
A9-4	Not Yet Titled—Headliner	Nov. 24
R9-5	Aqua Rhythm—Sportlight (9½m.)	Nov. 24
D9-3	William Tell—Symphonic	Nov. 24

RKO—One Reel

- 94313 Kennel Kings—Sportscope (9m.)Aug. 11
94613 Pack Trip—Reelism (9m.)Aug. 18
94118 The Autograph Hound—Disney (8m.)Sept. 1
(End of 1938-39 Season)

Beginning of 1939-40 Season

- 04301 Gun Play—Sportscope (9m.)Sept. 1
04201 Information Please—(11m.)Sept. 8
04601 Nevada Unlimited—Reelism (8m.)Sept. 15
04101 Officer Duck—Disney (8m.)Sept. 22
04302 Hunting Hounds—Sportscope (9m.)Sept. 23
04202 Information Please—(11m.)Oct. 6
04602 Acres of Plenty—Reelism (9m.)Oct. 13
04303 Ice Cutters—Sportscope (9m.)Oct. 27
04203 Information Please—(10m.)Nov. 3
04603 American Royal—ReelismNov. 10

RKO—Two Reels

- 93113 March of Time (18m.)Aug. 4
(End of 1938-39 Season)

Beginning of 1939-40 Season

- 03101 March of Time—(19m.)Sept. 1
03501 Cupid Rides the Range—Whitley (18m.)...Sept. 8
03701 Wrong Room—Leon Errol (19m.)Sept. 22
03102 March of Time—(19m.)Sept. 29
03401 Act Your Age—E. Kennedy (18m.)Oct. 6
03201 Blamed for a Blonde—Atwell (16m.)Oct. 20
03103 March of Time—(18m.)Oct. 27
03702 Truth Aches—Leon Errol (19m.)Nov. 3
03202 Coat Tales—Jed Prouty (18m.)Nov. 17
03402 Kennedy the Great—E. Kennedy (19m.) ...Dec. 1
03502 Bandits & Ballads—Whitley (17m.)Dec. 29

Twentieth Century-Fox—One Reel

- 0502 Sheep in the Meadow—Terry-Toon (7m.)..Sept. 22
0401 Monkeys Is the Cwaziest People—Lew Lehr
(10m.)Sept. 29
0553 The Orphan Duck—Terry-Toon (7m.).....Oct. 6
0102 The Evergreen Empire—L. Thomas (11m.)..Oct. 13
0503 The Watchdog—Terry-Toon (7m.)Oct. 20
0202 Filming the Fleet—Adv. News. Cam. (11m.)..Oct. 27
0504 One Mouse in a Million (A Mouse and a
Million)—Terry-Toon (7m.)Nov. 3
0103 The Aghileen Pinnacles—Father Hubbard
and Lowell Thomas (11 min.)Nov. 10
0554 Wicky-Wacky Romance—Terry-ToonNov. 17
0302 Clocking the Jockeys—Sports (11m.)Nov. 24
0505 The Hitch-Hiker—Terry-ToonDec. 1
0402 The Silly Season—Lew Lehr (10m.)Dec. 8
0506 The Ice Pond—Terry-ToonDec. 15
0602 Fashion Forecast No. 6Dec. 22
0555 The First Robin—Terry-ToonDec. 29

Universal—One Reel

Beginning of 1939-40 Season

- 4261 A Haunting We Will Go—Cart. (7m.)Sept. 4
4371 Stranger Than Fiction No. 66—(8½m.)....Sept. 18
4351 Going Places with Thomas No. 66—(9m.)..Sept. 25
4262 Life Begins with Andy Panda—Cart. (8½m.)..Oct. 9
4372 Stranger Than Fiction No. 67—(9m.)Oct. 9
4352 Going Places with Thomas No. 67—(9m.)...Oct. 16
4373 Stranger Than Fiction No. 68—(9m.)Nov. 6
4353 Going Places with Thomas No. 68—(9m.) ...Nov. 13
4263 Scrambled Eggs—Lantz CartoonNov. 20
4264 The Sleeping Princess—CartoonDec. 4
4374 Stranger Than Fiction No. 69Dec. 4

Universal—Two Reels

- 4683 Crashing Towers—Phantom No. 3 (21m.) ..Oct. 31
4684 Invisible Terror—Phantom No. 4 (21m.) ...Nov. 7
4685 Thundering Rails—Phantom No. 5 (21m.) ..Nov. 14
4223 Rhumba Land—Musical (18m.)Nov. 15
4686 The Iron Monster—Phantom No. 6 (21m.) ..Nov. 21
4687 The Menacing Mist—Phantom No. 7 (21m.) ..Nov. 28
4688 Trapped in Flames—Phantom No. 8 (19m.)..Dec. 5

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- 5603 Naughty Neighbors—Looney Tunes (6m.)..Oct. 7
5702 Sword Fishing—Varieties (9m.)Oct. 21
5304 Good Egg—Merrie Melodies (8m.)Oct. 21
5305 Fresh Fish—Merrie Melodies (8m.)Nov. 4
5604 Pied Piper Porky—Looney Tunes (7m.) ...Nov. 4
5402 American Saddle Horses—Col. Par. (9m.) ..Nov. 11
5503 Rubinoff & Orch.—Mel. Masters (8m.)Nov. 11
5306 Fagin's Freshmen—Mer. Melodies (8m.) ...Nov. 18
5605 Porky the Giant Killer—Looney TunesNov. 18
5307 Sniffles and Bookworm—Mer. MelodiesDec. 2
5403 Mechanix Illustrated #2—Col. ParadeDec. 2
5308 Screwball Football—Mer. MelodiesDec. 16
5606 The Film Fan—Looney TunesDec. 16
5309 Curious Puppy—Merrie MelodiesDec. 30
5504 Artie Shaw & Orch.—Melody MastersDec. 30

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- 5102 Ice Frolics—Bway. Brevities (18m.)Oct. 28
5002 Royal Rodeo—TechnicolorNov. 25
5104 World's Fair, Jr.—Bway. BrevitiesDec. 9
5003 Old Hickory—TechnicolorDec. 23

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823 Wednesday ..Nov. 15
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826 FridayNov. 24
827 Wednesday ..Nov. 29
828 FridayDec. 1
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830 FridayDec. 8
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19 Wednesday ..Nov. 15
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27 Wednesday ..Dec. 13
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25 SaturdayNov. 25
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28 Wednesday ..Dec. 6
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- 216 Thursday ...Nov. 9
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- 05218 Wed. (E.)..Sept. 20
05119 Sat. (O.)..Sept. 23
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05123 Sat. (O.)..Oct. 7
05224 Wed. (E.)..Oct. 11
05125 Sat. (O.)..Oct. 14
05226 Wed. (E.)..Oct. 18
05127 Sat. (O.)..Oct. 21
05228 Wed. (E.)..Oct. 25
05129 Sat. (O.)..Oct. 28
05230 Wed. (E.)..Nov. 1
05131 Sat. (O.)..Nov. 4
05232 Wed. (E.)..Nov. 8
05133 Sat. (O.)..Nov. 11
05234 Wed. (E.)..Nov. 15
05135 Sat. (O.)..Nov. 18
05236 Wed. (E.)..Nov. 22
05137 Sat. (O.)..Nov. 25
05238 Wed. (E.)..Nov. 29
05139 Sat. (O.)..Dec. 2
05240 Wed. (E.)..Dec. 6
05141 Sat. (O.)..Dec. 9
05242 Wed. (E.)..Dec. 13
05143 Sat. (O.)..Dec. 16
05244 Wed. (E.)..Dec. 20
05145 Sat. (O.)..Dec. 23
05246 Wed. (E.)..Dec. 27
05147 Sat. (O.)..Dec. 30

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No. 47

A CHANCE FOR A NEW FAMILY SERIES OF FEATURE PICTURES

Because of the success the family series of feature pictures are making, the producers should not let an opportunity for starting a new series of such pictures be lost.

"Our Neighbors, the Carters," gives Paramount an opportunity to start such a series, for it deals with a lovable family, whose doings give the spectator the same joys and sorrows as the characters themselves feel. The cast is so good that Paramount should retain it for the entire series. As a matter of fact, this cast looks more like a family group than the cast in any other of the family series.

Paramount might title the next picture, "The Carters in Chicago"; it fits well with what "Our Neighbors, the Carters," shows. It could show "Bill" Hastings (Edmund Lowe) and Mrs. Hastings (Genevieve Tobin) inviting the Carters (Frank Craven and Fay Bainter) to Chicago for a two week vacation. "Dicky" Carter (Scotty Beckett), the crippled child, may be shown as having been cured by the specialist whom the Hastings, unknown to the proud Carters, had sent at their expense: the boy had to walk on crutches. There is an opportunity to enrich such a picture with many human interest episodes.

The next picture after that could be titled, "The Carters' Homecoming," in which the Carters could be shown returning to their home town and being received by the town folk in splendor. Such a story, too, should furnish the authors with a chance for human interest incidents.

Still another picture could show the Hastings gone broke and invited to the old home town by Doc Carter, who pawns everything he owned, to raise whatever money he could to help "Bill" Hastings come back. He might be even shown interesting the town's skinflint banker in a loan.

There are a thousand ideas that the authors could use to make such a series interesting as well as appealing.

If you like the idea, urge your local Paramount representative to recommend it to the Home Office; or you may express your own views to Mr. Neil Agnew, General Sales Manager of Paramount, 1501 Broadway, New York City.

PICTURES IN PRODUCTION NOW IN HOLLYWOOD

(Continued from last week)

Paramount

"Gulliver's Travels," a full-length cartoon feature in natural colors, with talk, music and sound effects, produced by Fleischer, originator of the "Out of the Inkwell" cartoon series: These imaginary adventure tales were written by Jonathan Swift, an Irishman, in 1726-27, while he was Dean

of St. Patrick's Cathedral, in Dublin. When they were first published they struck the literary world as being so new and so strange that, as Dr. Johnson said, "they filled the reader with a mingled emotion of merriment and amazement." They were read by the lowly as well as by the highborn with relish. The fame of the book reached such heights that, at the suggestion of Voltaire, it was translated into the French language, and since then it has been translated into almost every language on the globe.

The tale that has formed the basis of this cartoon picture is the first, entitled, "A Voyage to the Lilliput"; it shows the imaginary character Lemuel Gulliver, supposedly an English sailor and adventurer, shipwrecked on the coast of Lilliput, the inhabitants of which country were of diminutive size—so diminutive, in fact, that Gulliver appeared to them as an amazing giant. The men did not exceed six inches in height. As a matter of fact, everything on the island—men, trees and animals, were of a very small size.

Gulliver is found by the Lilliputians while asleep, is bound by them, and carted away and taken before the Emperor. But, after many adventures, he escapes and returns to England, there to tell of his amazing experiences.

Of the portion of the feature that has already been produced, two of the reels were shown to this reviewer, but without either talk, music or sound effects; and yet the action seemed interesting; it is smooth—smoother, in fact, than the action in any other cartoon produced, and the color is attractive. Some of the lighting effects indicate the care with which the picture has been produced. Undoubtedly it will make a box-office success, not only because of the merit of the production, but also because of the fame of the book.

"The Road to Singapore," with Bing Crosby and Dorothy Lamour. In the cast are Bob Hope, Judith Barrett, Charles Coburn, Anthony Quinn, Johnny Arthur and others. Harlan Thompson is producing, and Victor Schertzinger directing. Mr. Schertzinger is a fine director and should make a fine Crosby picture. He has a musical training, and that is what is needed by a director of the Crosby pictures.

"The Biscuit Eater," with Billy Lee, Jack Moss is producing, and Stuart Heisler directing. No doubt it will turn out a good program picture, but from the box office point of view it is good for a double bill.

"Buck Benny Rides Again," with Jack Benny, Ellen Drew, Andy Devine, Virginia Dale, Eddie "Rochester" Anderson, Phil Harris and Kay Linaker. Mark Sandrich is producing and directing. It should turn out either a good or a very good box-office picture.

(To be continued next week)

"Blondie Brings Up Baby" with Penny Singleton, Arthur Lake and Larry Simms (Baby Dumpling)

(Columbia, November 9; running time, 69 min.)

The first part is quite slow, and the hero's simple-mindedness pretty exasperating, but these defects are more than offset by the second half, where there is deep human interest and fast action. The human interest is awakened by a situation of "The Miracle Man" type—Baby Dumpling is the cause of a crippled girl's getting up from her wheel chair and walking; the fast action is the result of the efforts of two sets of parents, helped by the police, to find their two children, who had disappeared. The picture should fit well on any double bill:—

While his boss (Jonathan Hale) was away, Arthur Lake makes alterations in the plans of the apartment house they were building for Robert Middlemass without a written approval and when Hale returns Middlemass refuses to sign an acceptance for the alterations so as to escape from an unfavorable contract. While waiting outside of the school for Baby Dumpling, Daisy, the boy's little dog, is caught by the dog catcher; later it is adopted by Peggy Ann Garner, crippled daughter of Roy Gordon. Unable to find Daisy, Baby Dumpling plays "hookey" from school and, in his wanderings, comes upon Peggy and Daisy. Daisy is naturally overjoyed to see Baby. When Baby tells Peggy that he would take Daisy away, she is sad, and expresses her desire to be taken along to his home. Baby wheels Peggy away. In the front yard of Baby's home, Baby persuades Peggy to leave her chair and to walk. While the town is in a turmoil looking for the children, the parents of both locate them playing in Arthur's home. Peggy's parents are so overjoyed when they see their daughter walk that, when Arthur shows them his model for a home where children could have all the sunshine and all the playthings they needed to make them happy, Gordon informs Hale that he would finance the project. Thus Lake is reestablished in Hale's confidence as a capable and ingenious executive.

The story is by Robert Chapin, Karen De Wolf, and Richard Flounroy; the screen play, by Gladys Lehman and Richard Flounroy. Frank B. Strayer directed it.

Suitability, Class A.

"Our Neighbors, the Carters" with Edmund Lowe, Genevieve Tobin, Frank Craven and Fay Bainter

(Paramount, November 24; time, 83 min.)

This picture may not be glamorous, but it is the most human interest story that Paramount has produced in ages. It is a picture that deals with a small-town family, the members of which are happy when things go well, but "take it" like thoroughbreds when things don't go so well. The way the characters conduct themselves in times of adversity is inspiring. It shows the sacrifices the parents make for their children. Old folk will enjoy it immensely, and young folk should be made to see it so as to appreciate their parents' sacrifices. One of the situations that will touch every spectator's heartstrings is that which shows the little family orchestra playing "I Love You Truly" as husband and wife, on the day of their twentieth anniversary, are seen descending the stairway arm in arm. Another is where the father and the youngest girl are at the station, waiting for the train that would take the little girl to the Chicago wealthy friends for adoption: as the train was approaching, the father realized that she did not want to go:—

Frank Craven, father of five, conducted a drug store in a small town. The representative of a chain drug store man comes and offers to buy him out, but he refuses to sell. Consequently, the chain leases the building for itself. Craven opens a new drug store, but the chain store, by under-selling Craven, puts him out of business in no time. Fay Bainter, his wife, was in Chicago visiting Edmund Lowe and Genevieve Tobin, their friends. Fay invites them to their home town and in a few weeks they arrive. Lowe at first is disconcerted because the house did not have the facilities that he had in his home, but his association with the children soon gives him so much pleasure that soon he forgets all about the discomforts. They return to Chicago after having had the best time of their lives. Edmund persuades the drug store owner to sell the store back to Frank. At Genevieve's suggestion, Edmund engages a famous specialist to go to the little town to cure the youngest boy of his affliction—he could not use his legs. Edmund sends his secretary to Fay and Frank to persuade them to give up one of their children to them for adoption, promising to do many things for the family. At first Frank becomes incensed, but Fay persuades him to give the matter more thought for the sake of the other children. They decide to give up their little girl. But

at the station, as the train was approaching, the little girl begins to cry; she did not want to go away.

The story is by Renaud Hoffman; the screen play, by S. K. Lauren; Ralph Murphy directed it and Charles K. Rogers produced it. Mary Thomas, Gloria Carter, Scotty Beckett, Bennie Bartlett, and Donald Brenon are the five Carter children. Nana Bryant, Thurston Hall, Granville Bates, and others are in the supporting cast.

Class A—good for every member of the family.

"The Honeymoon's Over" with Stuart Erwin and Marjorie Weaver

(20th Century-Fox, December 15; time, 70 min.)

Just a fair program domestic drama, which doesn't mean much to the box office, but serves well for a double-bill purpose. The action is fairly fast, but it is just so much old stuff. There is very little human interest in it:—

Stuart Erwin, one of the employees in Russel Hicks' advertising agency, marries Marjorie Weaver. They buy a home and soon a high-powered salesman sells them a swank car. Thinking that the Erwins were wealthy, Patric Knowles, June Gale, E. E. Clive, Harrison Green and Lelah Tyler, "spongers" by profession, attach themselves to them and start Marjorie on one long round of drinking, country-club frequenting, and of general gayety. The social whirl makes Marjorie so reckless that she will not listen to Stuart's warnings. On her way home from a drinking party in her car, Marjorie has an accident, and a threat for a suit results. The matter is settled with an agreement by which Stuart was to pay \$7,500. He mortgages his home and, when the money is not enough to make up the amount, he uses some of the firm's money. As a result, his boss gives him sixty days in which to pay, jail being the alternative. Marjorie comes upon the holder of an invention for a bath preparation. She takes it to a department store. One of the conditions of the sale was that the Russel Hicks firm was to have a contract for the advertising. Thus Stuart re-establishes himself in the graces of his boss, who not only takes him back but also appoints him manager of the firm.

The plot has been founded on the William Anthony McGuire play "Six Cylinder Love," which was produced by Fox twice before, once in 1923, as a good silent, and once in 1931. The 1931 version turned out no better than the present version. The screen play is by Hamilton McFadden. Eugene Forde directed it and Sol M. Wurtzel produced it.

Suitability, Class A for adults; because of the drinking scenes and the theft it may not be Class A for children, but Class B.

"Missing Evidence" with Preston Foster and Irene Hervey

(Universal, December 5; time, 64 min.)

A good program melodrama, with human interest and pretty fast action. The theme is somewhat fresh, not having been done to death; it deals with the efforts of the Federal Bureau of Investigation to track down the heads of a syndicate printing and distributing counterfeit sweepstakes tickets. It has been produced so well that the spectator's interest is kept alive up to the end. The spectator is held in pretty tense suspense at times, because of the danger to which the lives of the hero and of the heroine are subjected. The romance is pleasant:—

Preston Foster, agent for the Federal Bureau of Investigation, is assigned to apprehend counterfeiters of sweepstakes tickets. Posing as an insurance salesman, he becomes acquainted with Irene Hervey, whom he suspects as being connected with the syndicate. Working for the cigar store of a hotel, she did sell such tickets, but she thought they were genuine. When she finds out that the hero was an F.B.I. man she scorns him and refuses to give him any information; but when a hotel employee commits suicide after finding out that his ticket, which had the winning number, was counterfeit, she and her friend, Chick Chandler, call on the hero and offer their services toward tracking down and arresting the crooks. The two become employees of the gang and Foster opens a rival sweepstakes business, forcing the gang to take him in. After many exciting and dangerous experiences, the three are able to get all the necessary information about the gang's activities. Swooping down upon them, they arrest them all and confiscate the printing apparatus. By this time Preston and Irene are in love with each other.

The story is by Stuart and Dorrell McGowan; the screen play, by Arthur T. Horman. Phil Rosen directed it. Inez Courtney, Noel Madison, and Ray Walker are some of those in the supporting cast.

Class A for adolescents and adults; but because it deals with crooks, Class B for children.

"Another Thin Man" with William Powell and Myrna Loy

(MGM, November 24; time, 101½ min.)

Like the other two "Thin Man" pictures, this is very good entertainment, for it combines comedy with murder-mystery melodrama skilfully. But most important of all, it marks the return of William Powell to the screen, which means that his fans will probably flock to see him, particularly since he is teamed with Myrna Loy. The story is somewhat involved, but always interesting; as a matter of fact, the disclosure of the murderer's identity will come as a surprise to most spectators. There is plentiful comedy resulting from the wisecracks by Powell and Miss Loy. And one is held in suspense throughout, for Powell's life is endangered:—

Upon their arrival in New York, Powell and Miss Loy receive a telephone call from her guardian (C. Aubrey Smith), who suspected that his life was in danger, asking them to come to his country home. Even though they disliked the idea of the visit, they go there with their baby and his nurse, and Asta the dog. Many mysterious things happen. Smith is murdered, and Powell's life is endangered. Before he could collect his family together and leave, another man is murdered. Powell decides to work on the case, despite the dangers involved. And Miss Loy trails along, not wanting to miss any of the excitement. Their investigation brings them in contact with many strange characters, some of them dangerous. Eventually Powell solves the case—he proves that the murders had been committed by Smith's own daughter (Virginia Grey), who wanted her father out of the way so that she could get her hands on her inheritance of \$5,000,000. She had been helped by a gangster, with whom she was in love; but she had killed even the gangster, because she learned that he was in love with another woman. Both Powell and Miss Loy are happy when the case is closed.

Dashiell Hammett wrote the story, and Frances Goodrich and Albert Hackett the screen play; W. S. Van Dyke, II, directed it, and Hunt Stromberg produced it. In the cast are Otto Kruger, Ruth Hussey, Nat Pendleton, Tom Neal, and others.

The murders make it unsuitable for children. Adolescent and adult fare. Class B.

"That's Right—You're Wrong" with Kay Kyser, Adolphe Menjou and May Robson

(RKO, November 24; time, 93 min.)

A good comedy with music. Considering the popularity of Kay Kyser and his band, it has strong box-office possibilities, particularly with the young crowd and his radio fans; they will probably get a "kick" out of seeing him conduct his "College of Musical Knowledge" program, which he does towards the end. No attempt is made to place a heavy acting burden on Kyser's shoulders; what he has to do he does well, since the part requires that he be himself. He is given good support by a competent cast of seasoned actors. Although the plot is simple, it is a little different and, for the most part, amusing. There is no romance:—

Moroni Olsen, head of a motion picture studio, decides to make a picture starring Kay Kyser and his band. Kyser is averse to going to Hollywood but, knowing that the members of his band would be disappointed if he turned down the offer, he signs the contract and leaves for Hollywood with the band. Adolphe Menjou is put in charge of the picture production and assigns two writers (Edward Everett Horton and Hobart Cavanaugh) to do the screen play. Not knowing what Kyser looked like, they write a romantic story; when they finally meet him they are shocked, for he was definitely not the romantic type. Menjou is at his wit's end. To make Kyser break the contract as the only way he could get rid of the assignment, he informs him that he would give the leading part to another girl than to Ginny Simms, of the band. But the two writers put Kyser wise to Menjou's scheme. By pretending that he wanted to play the romantic part, Kyser turns the tables on Menjou. The tests are so bad that Menjou pleads with Kyser to release the company from the contract, offering to pay him in full. Kyser accepts the offer. He and the members of the band go back to their radio work, cured of any desire to make motion pictures. Menjou is berated by Olsen for having missed a good bet.

William Conselman and James V. Kern wrote the screen play. David Butler directed and produced it. In the cast are Lueille Ball, Dennis O'Keefe, Roscoe Karns, and others.

Suitability, Class A.

"Fugitive at Large" with Jack Holt

(Columbia, December 7; time, 63 min.)

This program gangster melodrama, in which Jack Holt plays a dual role, is suitable mostly for the Holt fans and for those who enjoy wild melodramas, regardless of plausibility of plot. Discriminating audiences will, however, find that the production is rather cheap, and the story a rehash of former plots. There is some suspense in one or two situations; the situation showing Holt escaping from the chain gang is probably the most exciting:—

Holt, an engineer, who had spent most of his time in South America, arrives in the United States to start work on a new project. Two dishwashers at the camp (Stanley Fields and Arthur Hohl), who were gangsters hiding out from the police, are amazed at the remarkable resemblance between Holt and their gangster chief (also played by Holt). Knowing that the police were looking for the gangster chief, they send word to him to come to the camp. When he arrives, they plan to steal the payroll and shift the blame on Holt, the engineer. Things work out as they had planned: the engineer is arrested, identified as the gangster, and sentenced to twenty years on the chain gang. With the help of another prisoner, he escapes from the chain gang. The police finally find and arrest him. Again they refuse to listen to his pleas of innocence. But when word reaches them that a bank had been held up and that the teller had identified the chief as Holt, the gangster, they realize that the engineer had been telling the truth. Working with two men from the F.B.I., Holt finally locates the gangster through his wife (Patricia Ellis) who, at the engineer's trial, had framed a story against him, pretending that he was really the gangster. The gangster is killed by the federal men when he tries to escape. The engineer's name is cleared and he returns to his work.

Eric Taylor wrote the story, and he and Harvey Gates, the screen play; Lewis D. Collins directed it, and Larry Darnour produced it. In the cast are Guinn Williams, Cy Kendall, Weldon Heyburn, and others.

Not for children or adolescents. Adult fare. Class B.

"Day-Time Wife" with Tyrone Power, Linda Darnell and Warren William

(20th Century-Fox, November 24; time, 71 min.)

This marital comedy is light, sophisticated fare. The theme and the lavishness of production make it suitable for class audiences. But Tyrone Power's name should bring in the masses as well. The plot is not new—it is a rehash of the old triangle theme. Occasionally it is amusing, because of witty dialogue and comical situations. And it holds one in fair suspense, since the spectator knows that the hero will eventually be confronted by his wife and made to confess. The performances are engaging:—

Knowing that her husband (Tyrone Power) was neglecting her for his pretty secretary (Wendy Barrie), Linda Darnell decides to do something about it. Unknown to Power, she obtains a position as secretary to Warren William, her purpose being to find out why men preferred secretaries to wives. She is nervous when she learns that Power had business deals with William; each time Power comes to the office she has to hide. William begins paying marked attention to her, and invites her out. When she questions him about his wife, he tells her that he loved her but that he liked a change. Angry when Power breaks another date with her, Miss Darnell accepts William's invitation to accompany him with "another couple" to a night club. Although she is amused when the couple turn out to be Power and his secretary, he is shocked. Neither one reveals the fact that they were married. They go to William's penthouse apartment, where Power tries to convince Miss Darnell that he had made the appointment with William merely for the purpose of getting him to sign an important contract. When William's wife pays an unexpected call, Miss Darnell passes the matter off by explaining that she was Power's wife, and that the visit was purely a business one. Power takes advantage of the situation by compelling William to sign the contract. William, thinking that Miss Darnell had done quick thinking, is amused, not knowing she had told the truth. Miss Darnell insists that Miss Barrie and Power spend the night at her apartment. Miss Barrie overhears Power talking to Miss Darnell in her bedroom; thinking he had thrown her over for Miss Darnell she leaves in disgust. Husband and wife are reconciled.

Rex Taylor wrote the story, and Art Arthur and Robert Harari, the screen play. Gregory Ratoff directed it, and Raymond Griffith produced it. In the cast are Binnie Barnes, Joan Davis, Leonid Kinsky, and others.

Not for children. Adolescent and adult fare. Class B.

THE CASE OF 20th CENTURY-FOX'S "THE BLUE BIRD"

On November 6, Herman Wobber, general manager of Twentieth Century-Fox, announced that his company has withdrawn Maeterlinck's "The Blue Bird" from the 1939-40 season's release schedule for the purpose of roadshowing it on a national basis. In its place, it has offered to the exhibitors "Everything Happens At Night," with Sonja Henie.

As every one of you no doubt knows, "The Blue Bird" has been produced in natural colors, with Shirley Temple in the leading role. It was originally scheduled for release on Christmas week.

On the occasion of this announcement, the November 11 issue of Mortensen's *Amusements*, published in Minneapolis, comments as follows:

"Demand for a new deal from 20th-Fox 'all the way down the line,' was made by Minneapolis independent showmen this week as their reaction to plan of 20th-Fox to pull Shirley Temple's 'The Blue Bird' out of the program for roadshowing. Exhibitors feel that the move is 'one of those last ones,' designed to forestall cancellations on this and other Temple films.

"While agreeing pretty generally that Shirley is 'all washed up,' so far as draw is concerned, twin city independents say that the roadshowing plan is 'a gag to try and make us squawk for the picture.' This view was emphasized by W. A. Steffes, who said that, contrary to squawking, exhibitors should give a vote of thanks to 20th-Fox for removing from the program a picture that 'probably would go the way of the other Temples, in rating only Saturday matinee or "weak day" of showing.

"What exhibitor would be sappy enough to play a Temple picture as a roadshow?" Steffes demanded. 'Most exhibitors don't want her as a gift. She was washed up two years ago, but the momentum of her earlier successes carried her along and helped delude the exhibitors into the hope that she could stage a comeback. 20th-Fox probably will put a big campaign behind "The Blue Bird" in a number of spots, in the hope that it will do business, thus taking the heat off top bracket allocation of Temple pictures.

"This Shirley Temple matter is indicative of the "wrong attitude" pursued by 20th-Fox in dealing with exhibitors of this section. The company has been a flagrant offender in the matter of excess rental demands, and also has been a thorn in our side in the matter of switching picture allocations.

"We want a new deal from 20th-Fox, based upon Company President S. R. Kent's declaration that the little fellow is entitled to the break. We're tired of dealing with distribution executives who think they have to be hard to get by. The live and let live policy enunciated by President Kent is being thrown overboard by the machinations of his field men, in this territory at least.' . . ."

It is difficult to ascertain whether Twentieth Century-Fox will or will not deliver to the exhibitors this picture under their 1939-40 season's contracts after the roadshowing of it is ended—the roadshow provision stipulates that it must be delivered; but, in view of the fact that the contract does not describe the pictures that are to be delivered, such contract, so far as the roadshow provision is concerned, is worthless: Twentieth Century-Fox may deliver to you any pictures it sees fit, and allocate it to suit their own convenience. Such are the contracts of all other major picture companies, for that matter.

In the issue of October 7, under the heading, "Hopeless Remakes," I informed you that "The Blue Bird" was produced once before, by Paramount, in 1918, and although it turned out a highly artistic picture it made an artistic "flop" at the box office; but because the present picture has been produced in technicolor, and because this time the characters talk, the public may give it a better reception than it gave the silent, black-and-white, version. And the roadshowing cannot help creating among some other than Shirley Temple followers a desire to see it. The only difference, so far as you are concerned, is the fact that you have not been told whether you will get it or not under your contract after the roadshowing is completed.

IRVING'S "LEGEND OF SLEEPY HOLLOW" IN PICTURES

United Artists announced last month that Edward Small will produce Washington Irving's "Legend of Sleepy Hollow."

It is hard to tell what Mr. Small saw in this story, for although it is a classic it is hardly suitable for picture purposes. To begin with, it is a legendary story, in which a ghost legend plays a prominent part. Then again, it is a period play, unfolding in the days when the Dutch were the settlers of these regions.

The story unfolds in and near Tarrytown, New York, and tells about the trick a rival in love played on a poor school teacher, who schemed to capture as a wife the daughter of a well-to-do Dutch farmer; the rival, wanting to make him stop paying attention to the girl, impersonates the headless horseman of legend and, waylaying him by a brook, frightens him so badly that he disappears. Some folk said that the headless horseman got him, but the girl smiled, "knowingly."

THE PRODUCERS' FONDNESS FOR REMAKES

Warner Bros. has announced that it has decided to produce "Disraeli."

Most of you know, I am sure, that "Disraeli" has already been produced twice: United Artists made it in 1921, and Warner Bros. themselves in 1929—both times with George Arliss in the leading role. Neither of the versions created a box-office sensation, even though both pictures turned out good.

I don't know what has prompted Warner Bros. to decide to produce it again; the story is not powerful enough to deserve third remaking. Perhaps this company's executives have decided to remake it for some English "quota" reason. If so, they are doing an injustice to the American exhibitors. Their meal ticket is not the foreign market; it is the American market, and it behooves Warner Bros. and every other major company to pay a little more attention to it. They should have some regard for the interests of those who sign their contracts on the theory that companies with so high a reputation can do no wrong; they are breaking faith with them.

INDIANA EXHIBITORS AGAINST 16mm. FILMS

The Indiana exhibitors do not mind if the producers permit the reduction of their films to 16mm. size provided they permit the showing of them only in homes, but when they permit such showing in regular theatres, no matter even if they are non-theatrical, they offer strenuous objection, because, as they said in a resolution at their convention, it does the regular theatres harm.

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No. 48

WILL THE EXHIBITORS ALLOW THIS PRECEDENT TO BE ESTABLISHED?

Metro-Goldwyn-Mayer has decided to charge 70% of the gross receipts for "Gone With the Wind," but to those exhibitors who want the film but who fear to agree to so exorbitant a percentage rate lest it prove too much for them MGM is willing to guarantee a 10% profit above the average that their theatres have made with big films.

Since the picture has not yet been shown to the reviewers it is hardly possible for any one not closely connected with either the MGM or the Selznick-International organization to say whether the picture is or is not entitled to so high a percentage; but let us assume that it fully deserves it, can the exhibitors afford to establish a 70% precedent? Wouldn't other distributors try to get the same percentage, or as near to it as possible, with films not so meritorious? Remember that, if "Gone With the Wind" should prove an unprecedented box-office success, to the film salesmen of other companies every one of their big films would be a "Gone With the Wind."

Since this matter is of grave importance to every exhibitor, a thorough discussion of what may happen afterwards if you should accept the 70% rate is in order. You are invited to express your views on this matter. Remember that the question is, not whether MGM is or is not entitled to charge 70% of the gross receipts for this picture, which has undoubtedly cost a fortune to produce, but whether it is wise for you to allow any producer-distributor to establish a precedent for a percentage rate that has never yet been charged for any other film, 50% being the highest that has ever been charged, on extremely rare occasions.

A CONUNDRUM!

Early last month, Darryl Zanuck, head of the Twentieth Century-Fox studio, sent a letter to Simon Fabian, head of the Fabian circuit, operating theatres in the states of New York and of New Jersey, criticizing him for pulling "Drums Along the Mohawk" out of his Proctor's Theatre, at Schenectady, N. Y., while the picture was still making money, and asking him, as well as every other exhibitor's, cooperation in giving meritorious films a longer run.

He asks such a cooperation, he says, not only because the revenue from the foreign market has been reduced, but also because the cost of production is now double what it was eighteen months ago. If the exhibitors, he says, "do not realize these very important matters and do not prepare to do their share in encouraging and aiding us of the studios, then it is going to be a very sorry day for the exhibitors of America.

"If the producers find that they cannot at least break even, then naturally, they cannot be expected to take the fabulous financial gambles that they are forced to take today. . . ."

Mr. Zanuck is right in his suggestion that meritorious pictures should be given a longer run—as long as a picture can pull people in; but here is the rub: when a meritorious picture is given a run longer than is usually the case, a theatre's available playing time is reduced; and if the longer-run suggestion of Mr. Zanuck's is intended to apply to the meritorious films also of every other producer, such time will be reduced still more—and considerably so. What will, then, happen to the "B," "C," and "D" class of pictures which the exhibitor has under contract, and for which he will have no available time? Will Mr. Zanuck and every other producer make a provision for the elimination of these pictures without payment?

If the major producers should make such a provision for the purpose of getting the benefit of the longer runs, why waste money for the production of them? And if they should find it necessary to stop making this type of pictures so as to give the longer-run of meritorious pictures full play, why retain the block-booking system?

No, Mr. Zanuck! The problem of aiding the producer to obtain greater revenue for his meritorious pictures cannot be solved permanently by extending the run of the good pictures alone; elimination of block-booking and blind-selling is essential before extended runs may benefit producer, distributor and exhibitor alike, for, with block-booking and blind-selling eliminated, each picture will have to stand on its own merit. If a picture has merit, the producer will not have to plead with the exhibitor to keep it on the board as long a time as the picture will stand; the exhibitor will find it beneficial to his interests to do so without a plea from the producer. And the box-office should be able to tell which of the pictures have merit.

Does Mr. Zanuck fear to subject his pictures to the box-office test without the shackles of block-booking and blind-selling?

METRO-GOLDWYN-MAYER IS RENDERING A SERVICE TO THE PUBLIC

When it comes to passing instructive information to the public, no better medium can be employed than motion pictures, for the motion picture impresses itself on the mind much more deeply than does the picture of the image that is represented either by the written or the spoken word.

The reason for it is the fact that, when either a written or a spoken word is employed, the mind

(Continued on last page)

"Tower of London" with Basil Rathbone and Boris Karloff

(Universal, November 17; time, 91 min.)

Supposedly based on historical facts, this court melodrama depicts a period in British royal history that was bloody and horrifying. Its appeal should be directed to those who enjoy stories of court intrigue coupled with horror melodrama. The production is extremely lavish and realistic in every detail. But it is not particularly cheerful entertainment, since the action centers mainly around a character whose diabolical scheming to gain the throne of England results in brutal murders, and who does not stop even where brothers and nephews are concerned. Boris Karloff, as the royal executioner, chills one by his appearance and actions. With the exception of two characters who supply the romantic interest, one feels little sympathy for the others, for most of them are engaged in intrigue. But, as in most pictures of this type, one is held in suspense, not knowing on whom the ax will next fall:—

King Edward IV (Ian Hunter) permits himself to be influenced by his brother Richard (Basil Rathbone), a cruel, ruthless schemer. Displeased because John Wyatt (John Sutton) had shown sympathy for a cousin on his execution day, Richard, knowing that Wyatt was in love with Lady Alice Barton (Nan Grey), the Queen's lady-in-waiting, suggests to the King that he match Wyatt with an elderly dowager. When Wyatt refuses to marry the King's choice, he is imprisoned in the Tower, ruled over by Mord (Boris Karloff), chief executioner. Wyatt is later secretly released and sent to France. Richard, who loved Anne Neville (Rose Hobart), and despised her husband, the Prince of Wales, whose father, Henry VI, was kept a prisoner by him, engages in a battle with the Prince and his men and personally kills the Prince. Richard, helped by his brother, the King, wins Anne's sympathy and gains her consent to their marriage. Working towards his goal to become King, Richard, with the help of Mord, kills his elder brother Clarence (Vincent Price). When King Edward dies six years later, Richard, under the guise of guardian to the boy King, gains control of the country. Knowing Richard's ruthlessness, the Queen induces Wyatt, who had returned from France, to steal the King's treasure so as to help exiled Henry Tudor (Ralph Forbes) to fight Richard. Wyatt is captured and, although tortured, refuses to divulge the hiding place of the treasure. Richard kills the boy King and his brother and pronounces himself King. Alice helps Wyatt to escape. He carries the treasure to Tudor, who collects an Army and marches on England. Richard and Mord are both killed in battle and Tudor is made King. Wyatt and Lady Alice are finally married.

Robert N. Lee wrote the screen play, and Rowland V. Lee directed and produced it. In the cast are Barbara O'Neill, Leo G. Carroll, Miles Mander, and others.

The murders make it unsuitable for children. All right for adults and adolescents. Class B.

"Heroes in Blue" with Dick Purcell, Bernadene Hayes and Edward Kean

(Monogram, November 7; time, 59 min.)

Just a fair formula melodrama of program grade, revolving around policemen and crooks. There is some human interest, and the action is fairly fast. There is also a romance:—

Charles Quigley, brother of Dick Purcell, a rising young policeman, is put on the spot by Edward Kean, head of a gang of crooks, when he failed to place the money Kean had given him on a horse of his (Kean's) choosing; he placed it on another horse, which lost the race. There is a scuffle between Quigley and the crook whom Kean had detailed to watch him, and the crook is killed by another crook. Purcell is detailed to catch him. Their mother becomes ill and Purcell arrests his brother while visiting their mother in the hospital. Their father, a nightwatchman, makes a deal with Kean whereby he would "look the other way" while Kean's men were robbing the warehouse he was guarding. Purcell is wounded severely in an encounter with the crooks and the father feels keenly about it. When Purcell is well, he follows the crooks and catches them robbing the warehouse his father had been guarding. Father and son turn against the crooks and they fight it out with them. Kean is wounded fatally and, before expiring, makes a confession that clears Quigley. Purcell is promoted and, with the additional income, feels that he can marry Julie Warren, whom he loved. Quigley, now a respectable citizen, is accepted by Bernadene Hayes.

The screen play is by C. B. Williams; the direction, by William Watson. T. R. Williams produced it.

Suitability, Class B.

"The Secret of Dr. Kildare" with Lew Ayres, Lionel Barrymore and Laraine Day

(MGM, November 24; time, 84 min.)

This third in the series of "Dr. Kildare" pictures is just as engrossing, well-acted, and expertly produced as the first two pictures. It is the type of entertainment that has strong mass appeal, not only because of its human qualities, but also because it presents the subject of medicine in a way that is easily understandable to the layman. The characters are all so sympathetic that one becomes engrossed in their activities, whether it concerns their private affairs or their professional duties. As in the other pictures, the romance is of secondary importance:—

Lionel Barrymore and Lew Ayres, his assistant, both doctors, work day and night on a new cure for pneumonia. Although exhausted, Barrymore refuses to rest even though he had been warned by his hospital associates to do so. Through Barrymore, Ayres becomes acquainted with Lionel Atwill, a millionaire, who was worried about his daughter (Heleen Gilbert); she had been acting queerly, refusing to tell her father what was troubling her. Ayres becomes very much interested in her case. In the meantime, knowing that Barrymore could not continue with his research work unless he assisted him, Ayres pretends that he no longer cared to devote his time to research; he would take Atwill's daughter's case as a means of getting ahead. Barrymore, disgusted, goes away on a vacation. Miss Gilbert's case becomes quite involved; she goes blind. Ayres, realizing that she was under the influence of her old nurse (Sara Haden) and of a fake healer (Grant Mitchell), who were trying to make her believe that she was suffering from a brain tumor similar to the kind her mother died from, asks Barrymore's help. Barrymore refuses but, during a lecture attended by Ayres, he refers subtly to a similar case—of a woman who had lost her power of speech—pointing out that, by pretending to have operated on the woman, he had brought her back to a normal state. Ayres takes the hint, employs the same method, and effects a complete cure. Barrymore, having found out why Ayres had resigned, takes him back; they start their research work again. Ayres is forgiven by Laraine Day, a nurse with whom he was in love; she, too, had misunderstood his actions.

Max Brand wrote the story, and Willis Goldbeck and Harry Ruskin, the screen play; Harold S. Bucquet directed it. In the cast are Nat Pendleton, Samuel S. Hinds, Emma Dunn, Walter Kingsford, and others.

Suitability, Class A.

"The Amazing Mr. Williams" with Melvyn Douglas and Joan Blondell

(Columbia, November 23; time, 85 min.)

A very good combination of melodrama and comedy. The action not only moves at a fast pace, holding one in suspense throughout, but it is developed logically and in an interesting manner. Melvyn Douglas and Joan Blondell again prove that they make an excellent team; they handle both the comedy and dramatic moments in a believable and engaging way:—

Joan Blondell, secretary to the Mayor, and Melvyn Douglas, detective on the police force, love each other but are seldom together because of the demands made upon Douglas, an ace detective. Miss Blondell tries to use tricks to get him to resign, but they won't work. When she learns that Douglas, dressed in woman's clothes, had taken on the dangerous job of tracking down a phantom murderer who had been attacking women, she rushes to the alley where she knew he was stationed. The murderer appears and hits her. Douglas sees the incident, rushes to her rescue and captures the man. Miss Blondell is taken to the hospital. She pretends to be very ill, thus winning Douglas' sympathy. He promises to resign, and sets the wedding date. On the day of the wedding, the police chief inveigles him into another case—a bank robbery and murder. By the time he shows up Miss Blondell refuses to have anything to do with him. Thinking he had solved the case, he arrests John Wray as the murderer, only to find, after the trial, that Wray was not guilty. Instead of taking Wray to prison, he hides him. Consequently, the police chief issues orders for his arrest. It is then that Miss Blondell comes to his rescue; she helps him trap the real murderer, for which act she is made a deputy. She and Douglas marry.

Sy Bartlett wrote the story, and he, Dwight Taylor, and Richard Maibaum, the screen play; Alexander Hall directed it, and Everett Riskin produced it. In the cast are Clarence Kolb, Ruth Donnelly, Edward S. Brophy, Donald MacPride, and others.

Suitability, Class A.

**"The Return of Dr. X" with Wayne Morris,
Rosemary Lane, Dennis Morgan
and Humphrey Bogart**

(First National, December 2; time, 61 min.)

A gruesome horror melodrama. Children will have nightmares after seeing it, and adults, particularly women, will feel sickened by the subject matter. An effort is made to inject comedy into the story, but somehow it doesn't help matters much. Not only is the story unpleasant, but the makeup of two characters, supposedly dead persons who had been brought back to life by an injection of blood taken from humans, sends shivers down one's spine. Yet persons with a morbid streak in their makeup may enjoy it. The closing scenes hold one in some suspense, even though the outcome is obvious. There is a romance:—

When Wayne Morris, a newspaper reporter, arrives at the apartment of Lya Lys, an actress, to obtain an interview, he finds her dead. He telephones the news to his editor, and he rushes out an extra before notifying the police. But by the time the police arrive there is no body, and Morris and his newspaper are held up to ridicule. To Morris' amazement, Miss Lys turns up the next day, threatening to sue the newspaper. As a result, the editor discharges Morris. But Morris feels that something was wrong. Enlisting the aid of Dennis Morgan, a doctor friend, Morris follows Morgan on an emergency call. The victim turns out to be a former hospital blood donor. Morris is struck by the fact that the man's face was peculiarly white, the pallor he saw on Miss Lys' face when he saw her lying on the floor, presumably dead. Morgan then becomes interested in the case. Investigations lead Morris and Morgan to John Litel, an eminent surgeon and authority on blood diseases. They notice that his assistant (Humphrey Bogart) had on his face the same pallor. On checking up newspaper files, Morris discovers that Bogart, a former doctor, had been electrocuted on a murder charge. When they confront Litel, he confesses that he had brought Bogart back to life by injecting in him blood taken from a person with a similar type blood, and that since then Bogart had killed many persons having a similar type blood in order to keep alive. Bogart kills Litel and takes from him the list of names of those who possessed similar type blood to his. His first victim is Rosemary Lane, Morgan's sweetheart. He takes her to his hideout; but Morris and Morgan arrive in time to save Miss Lane. Bogart is killed by the police. Morris is reinstated on his paper.

William J. Makin wrote the story, and Lee Katz, the screen play; Vincent Sherman directed it.

Not for children. Suitable for adolescents and adults. Class B.

**"Geronimo" with Preston Foster,
Ellen Drew and Andy Devine**

(Paramount, Rel. not set; time, 89 min.)

This historical action melodrama offers good mass entertainment. The battle scenes between the Indians, headed by Geronimo, and the United States soldiers are fierce enough to satisfy the most ardent followers of outdoor action pictures; but women may think them a bit too strong. Although the romantic interest has been minimized, the story is not lacking in human appeal; the conflict between father and son, with eventual reconciliation between them, supplies the human interest:—

With the aid he receives from unscrupulous politicians headed by Rufus Gillespie (Gene Lockhart), Geronimo (Chief Thunder Cloud), chief Apache Indian leader, carries on relentless warfare against the whites. General Steele (Ralph Morgan) is sent by President Grant to subdue the Indians and make the country safe for settlers. The General, a stern soldier who had years before given up his wife and child in order to devote all his time to the Army, is shocked when he learns that his grown son, Lt. John Steele (William Henry) had been assigned to his regiment. The General sends Captain Starrett (Preston Foster) and Sneezer (Andy Devine), a scout, to try to make peace with Geronimo. Instead, they return with what was left of a group of California-bound settlers who had been attacked by Geronimo. Lt. Steele, annoyed at his father's coldness and refusal to permit him to undertake dangerous missions, decides to resign and to join the settlers on their way to California. He sends for his mother (Marjorie Gateson) and his fiancée (Ellen Drew). When his father hears this, he is enraged; he realized the danger to the two women. He orders Starrett to meet the coach bringing the ladies, but the Lieutenant, who had been put under arrest for insubor-

dination and who had been released by Starrett, rushes there first. By the time he and Starrett arrive, they find the mother dead and the fiancée wounded, both victims of Geronimo. Crazy by the loss, the Lieutenant sets out to kill Geronimo himself. Starrett goes after him, and both are captured by the Indians. The Captain, saddened by what had happened, sets out with a rescue party. He succeeds in releasing his son and Starrett. Knowing that they would all be killed if they did not receive aid, Starrett induces the General to permit him and young Steele to go for aid. Starrett is killed; but Steele gets through and comes back with reinforcements. Geronimo is finally taken. Father and son become reconciled, much to the joy of the young son's fiancée, who had recovered.

Paul H. Sloane wrote the screen play and directed it. In the cast are Kitty Kelly, Monte Blue, Pierre Watkin, Addison Richards, and others.

Suitability, Class A.

**"Charlie Chan in City in Darkness"
with Sidney Toler, Lynn Bari
and Harold Huber**

(20th Century-Fox, December 1; time, 75 min.)

Just moderately entertaining. For a murder-mystery melodrama, it is surprisingly lacking in interest and suspense. This is due to the fact that the story is far-fetched; there is also an over-abundance of dialogue, and the plot's dramatic structure is weakened by the comic actions of a scatter-brained detective, a part that is actually burlesqued by Harold Huber. Followers of this type of melodrama may, however, enjoy it, since the murderer's identity is not divulged until the end:—

Sidney Toler (Charlie Chan), a guest of the Paris police, finds it difficult to obtain passage home because of the war scare during the Munich crisis. While the police chief was absent from his office, Harold Huber, an excitable, somewhat silly, young man, who was studying police methods in Paris under the guidance of the police chief, a friend of his father's, receives word that Douglas Dumbrielle, a prominent millionaire, had been murdered. Huber, frightened at the prospect of handling a murder case, pleads with Toler to help him out. Toler is hampered in his work by Huber, who wants to arrest every suspicious character. Toler investigates and finally solves the case by proving that Dumbrielle had been mixed up with a foreign group to whom he had been selling ammunition; further, that he had been killed by his butler (Pedro de Cordoba), a patriotic Frenchman, because he had discovered the treasonable acts. This clears Lynn Bari and her husband (Richard Clarke), Dumbrielle's secretary. Dumbrielle had tried to frame Clarke on an embezzlement charge, because Clarke had objected to his attentions to Miss Bari. When Toler is informed that war had been averted, he prepares to leave for home.

Gina Kaus and Ladislav Fodor wrote the story, and Robert Ellis and Helen Logan, the screen play; Herbert I. Leeds directed it, and John Stone produced it. In the cast are Dorothy Tree, C. Henry Gordon, Noel Madison, Leo Carroll, Lon Chaney, Jr., and others.

Suitability, because of the murder, Class B.

"Danger Flight" with John Trent

(Monogram, November 1; time, 60 min.)

Children will probably enjoy this melodrama centering around the activities of "Tailspin Tommy." The story is a little too far-fetched for adults. It has plentiful fast action and, towards the end, becomes pretty exciting; but it is of the type that should excite young spectators.

This time "Tailspin Tommy" (John Trent) is interested in a group of young boys who had formed a club to learn the rudiments of flying. All their work naturally takes place on the ground. At first one of the boys (Tommy Baker) in the neighborhood considered himself too tough to join the club; but Trent wins him over. Tommy innocently becomes involved with a gang of crooks, of which his older brother was a member. They attempt to steal a payroll from Trent, who was flying it to a mining camp. They have Tommy signal the plane down, and then steal the money. But Trent thinks of a way of outwitting the crooks by sending out a signal. They are rescued, and the money recovered. Tommy is overjoyed at being commended for his assistance to Trent.

Byron Morgan and Edwin C. Parsons wrote the screen play, Howard Bretherton directed it, and Paul Malvern produced it. In the cast are Marjorie Reynolds, Milburn Stone, Dennis Moore, Jason Robards, and others.

Suitability, Class A.

must first transform such word into the image it represents before the mind can see it, and since much of the image's vividness is lost in the transformation (the degree of the loss depending on each individual's ability to visualize), the image is not impressed on the mind as deeply, whereas when the image is represented by a direct picture, the impression on the brain is the most vivid possible.

When valuable educational information is presented to the public through motion pictures, the picture-goers receive, not only entertainment, but also information.

Experience, however, has taught the exhibitors as well as the publicity men that, whenever the publicity matter conveys the impression that a picture is educational in nature, harm is done: most people stay away from that picture. And rightly so, for every one feels that the place for education is, not the theatre, but either the school, the home, or the church; the theatre, he reasons, is a place where people go to be entertained and not educated.

To make education pleasurable to the picture-goers and at the same time attractive to them has been a great problem to the producers; skill is required to make people take education in their entertainment without resenting it.

In the "Dr. Kildare" series of feature pictures, Metro-Goldwyn-Mayer has succeeded in accomplishing this very thing. Each picture of this series conveys some medical information that the average person wants to know about, no matter whether he belongs to the masses or to the classes.

The latest picture of this series, entitled "Dr. Kildare's Secret," contains information about psychoanalysis; and this interesting subject is presented, not as a preachment, but as part of the entertainment—the characters reveal it in the course of their conversation in a natural, not obtrusive, way. In other words, the subject is not "dragged in by the ear" just because the author may have felt that it is good information for the public to have.

MGM should be congratulated for the quality of this series of pictures.

MORE REMAKES

In last week's issue there was printed a review of "The Honeymoon Is Over"; you were informed in that review that this picture is a remake of "Six Cylinder Love," produced by the Fox Film Corporation twice, in 1923, and in 1931. The 1923 version was very good; the 1931, only fair. The present version is not even as good as the 1931 version.

Just why the producers insist upon making cheap reissues when they can have "fresh" stories to spend their money on is really a mystery; they don't make any money with them, and the exhibitor loses his "shirt." Perhaps they reason that, when a picture was made eight or ten years ago, enough children have grown up to justify remaking; but they overlook the fact that those who saw the original picture did not forget it; and enough of them keep away from the theatres to cut into the exhibitor's box-office receipts considerably.

In the present instance, the Twentieth Century-Fox Corporation has offended the interests of the exhibitors doubly—not only because the picture has turned out poor, but also because, with the changed title, those who saw either of the other versions will feel deceived. Thus the Twentieth Century-Fox company will place the exhibitors in an embarrassing position.

Other remakes, either to be released soon or announced for production are the following:

"The Light That Failed," by the late Rudyard Kipling, with Ronald Colman: Produced by Pathe in 1916, with fair results, and by Paramount in 1923, with indifferent results. Picture set for release in January.

"Bill of Divorcement," the Clement Dane play, to be produced by RKO. It was produced by the same company in 1932, with Katharine Hepburn and John Barrymore. The picture made a hit, but it is difficult to tell whether its success was owed to the quality of the story or to the fact that Miss Hepburn caught the fancy of the picture-going public. It was her first picture, and many pictures of hers after that drew big crowds.

"Kiki," to be produced by RKO. This David Belasco play was produced by First National, with Norma Talmadge, in 1926, and by United Artists, with Mary Pickford in 1931. The First National version, with Ronald Colman, Mack Swain, Marc McDermott, and Frankie Darro assisting Miss Talmadge, was very good, and made a very good box-office success; the United Artists version was only fairly good, and made a fair box-office success. It is a comedy, in which the impish heroine, a chorus girl, falls in love with the manager of the show. She eventually lands him, despite his efforts to avoid her.

"Laddie," to be produced by RKO. It was produced in 1926 by FBO, which was RKO's predecessor, and by RKO itself in 1935. The FBO version turned out good; the RKO version, very good. It is a deeply human story.

"The Way of All Flesh," to be produced by Paramount. It was produced by the same company in 1927, with Emil Jannings; it was a deeply human story, and made a considerable box-office success.

"The Count of Luxembourg," to be produced by Paramount. It was first produced in 1926, for the State Rights market, and it turned out only fair. But those were the silent days; the present production will, no doubt, have a better chance, since it is a musical. It is the A. M. Willner and Robert Bodanzky operetta. It was produced at the Al Jolson Theatre, New York City, February 17, 1930, and played to 16 performances only. The story material is only fair, but it lends itself to improvement. It should turn out either good or very good.

PICTURES IN PRODUCTION NOW IN HOLLYWOOD

(Continued from last week)

Paramount

"Safari," with Madeleine Carroll, Douglas Fairbanks, Jr., Tulio Carminati, Lynne Overman, and Muriel Angelus, with Edward H. Griffith directing. Mr. Griffith is a good director, but so far as the box office is concerned the picture should turn out a fairly good picture.

"At Good Old Siwash," with William Holden, Ezra Stone, Bonita Granville, Judith Barrett, and Vaughan Glaser, directed by Theodore Reed. It is a college story, with fair to fairly good possibilities.

Republic

"The Narrow Path," with Charles Bickford, Doris Day, Owen Davis, Jr., Charles Middleton, Sheila Bromley and Paul Guilfoyle, produced by Robert North, with John H. Auer directing.

(To be continued next week)

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SATURDAY, DECEMBER 9, 1939

No. 49

A WRECKING CREW OF ONE

Harry Brandt, president of a shadow exhibitor organization in this city, is touring the twenty-one zones (I don't know at whose expense) in order to induce individual exhibitors to take a stand against the Neely Bill, by writing letters to their Congressmen expressing their opposition to it.

In zones where Allied is organized, his success is, of course, nil, but I don't know what is happening in zones where there is no Allied unit.

As a side issue, Harry takes a crack at Mr. Abram F. Myers, general counsel of Allied States Association, and, strange to say, against Warner Bros. As a matter of fact, my information is to the effect that he is blasting this company very severely.

HARRISON'S REPORTS is not concerned with Harry's criticisms against Warner Bros., for it feels that that company should be able to take care of itself—Grad Sears, president of Vitagraph, is certainly not of the squeamish type, for he can take it just as well as he can give it; he ought to know what is behind Harry's blasts, and whether his trip is financed by himself or by some film company that has the killing of the Neeley Bill uppermost in its mind, and the blasting of Warner Bros as a secondary issue. But HARRISON'S REPORTS is concerned about his tirade against Mr. Myers.

A transcript of his speech made in one of the zones is expected in this office, and incidentally in Mr. Myers' office, for study. Comment on his speech, then, will be made, if it should be necessary. In the meantime, let me say that Harry Brandt, in criticizing the Allied leader, is serving no exhibitor interests.

It seems as if the producers have realized that Ed Kuykendall and MPTOA are "dead," so far as being useful as a front at Washington is concerned, and some one in their ranks has conceived the idea of using Harry Brandt to do the work that was Ed's business.

The use of a fresh person to do Ed's work seems to have become absolutely necessary, because of the Columbia-Capra blunder of maligning the United State Senate. Many members of the House of Representatives and a large number of Senators have expressed their indignation at the insult done to their body by the picture "Mr. Smith Goes to Washington" and the producers, fearing that there is no chance to defeat the Neely Bill by the usual methods, have decided to use the back-door method—by inducing some exhibitors to write to their Congressmen directly expressing their opposition to the Bill. They know that John and Jim and Charlie exert a greater influence upon their legislators than do Zanuck, and Zukor, and Schenck, and are determined to use this method as a last straw.

Such a method might have been successful some years ago, but it cannot succeed now, for the simple reason that the Neely Bill is altogether out of the hands of the exhibitors, to such an extent that, even if most exhibitor leaders who are now fighting for the bill were to drop their fight and join the ranks of the opponents, the Bill would, in the opinion of those who seem to know, go through just the same; it is now in the hands of public groups, whose stand the producers in no way can influence.

Though the new way of going about it in an effort to kill the Neely Bill will, in the opinion of this paper, prove just as unsuccessful as the old way, just the same HARRISON'S REPORTS is eager to know who has inspired Harry to make his vicious blasts against Warner Bros. Not that HARRISON'S REPORT, too, would hesitate to criticize this company if the occasion required it, but its curiosity as to Harry's real motives for these blasts has been aroused. Perhaps Gradwell Sears can enlighten us.

I notice that the *Independent Exhibitor*, which is Harry's house organ although it is supposed to be an independent paper (it has no second-class mailing privilege; the Post Office grants such a privilege only to bona-fide publications) contains advertisements from MGM, RKO, and Paramount, but not from Warner Bros. Is that one of the reasons for the blasts?

THE EUROPEAN SITUATION AS THE AMERICAN PRODUCERS' "GOAT"

In his letter to Simon Fabian, which was discussed in last week's issue, Darryl Zanuck, head of the Twentieth Century-Fox studio, attributed the need for longer runs of meritorious pictures partly to the present European situation, which has caused a shrinkage in the producers' return from the foreign market.

It seems as if the American producers have now found a situation which they may use any time they see fit to scare you into giving them more money for film.

In order to make it difficult for them again to use the European situation as a "goat," allow me to acquaint you with certain facts. The latest British trade papers from London state that the picture-theatre business in Great Britain is nearly back to normal. Mr. Arthur Dent, an outstanding figure in the picture business there, is quoted as having said the following:

"Business is certainly not more than 10 per cent. lower all around. In fact, we are not finding it seriously down at all. Some areas in the provinces are not down at all, while some suburban theatres are doing better than they did before the war."

The same trade papers carry the news that there
(Continued on last page)

"The Night of Nights" with Pat O'Brien, Olympe Bradna and Roland Young

(Paramount, Dec. 1; time, 85 min.)

This heavy drama, with some comedy touches, unfolds in a ponderous way. It has a few touching moments, but these are not enough to cover up the dull spots or speed up the action. One can hardly sympathize with the hero, for his downfall had been caused by his weakness for drink. There is not much that the players can do with the material. Pat O'Brien is made to walk through at least half the picture with a frozen expression; and he, as well as the others, speak lines that are stilted and artificial. Miss Bradna is charming, but she cannot give life to a dead story:—

Pat O'Brien, a leading actor-manager, promises his wife, who was his leading lady, not to drink any more. On the night of the opening of their most important play, he and his best friend (Roland Young), also a member of the cast, get drunk and, upon their first appearance on the stage, create a scene by fighting. The curtain is brought down and the audience leaves. It is that night that O'Brien learns that his wife was to have a baby; and, further, that she had left him without saying where she was going. Heartbroken, he gives up acting; he makes a meager living by writing radio scripts. Young, who had married a wealthy dowager he despised, assists O'Brien financially. Years later, O'Brien receives a letter from his daughter (Olympe Bradna), informing him that she would visit him. In accordance with instructions left by her mother at the convent where the girl had been reared, she had just been told who her father was. Her mother had died at childbirth. Helped by Young and two other friends, O'Brien puts up a good appearance for the girl, knowing that she was leaving for France the next day to follow an art career. The girl expresses a desire to stay with her father, but he refuses to permit her to do so, for he was suffering from a heart ailment and was penniless. She learns from Young the true state of affairs and, despite her father's objections, stays with him. She inspires him and urges him to produce the play he was supposed to have done with her mother; she takes her mother's part. The opening night proves to be a brilliant success, and Miss Bradna is hailed as a new star. O'Brien suffers a heart attack, but dies happy at the thought that he had launched his daughter's career.

Donald Ogden Stewart wrote the screen play, Lewis Milestone directed it, and George Arthur produced it. In the cast are Reginald Gardiner, George E. Stone, Murray Alper, and others.

Suitability, Class A.

"Four Wives" with Priscilla, Rosemary and Lola Lane, May Robson and Claude Rains

(1st Natl., Dec. 25; time, 101 min.)

This homey human-interest story, which starts where "Four Daughters" ended, is a good follow-up to the first picture, from the point of view of production, acting, and direction. But it lacks the spontaneity of the first one. The picture is too long drawn out, causing the action to become slow in spots. Despite this defect, women will undoubtedly enjoy it, for a good part of the action is taken up with the subject of maternity, and is treated in a way that will appeal to them. The characters are, as before, loveable; their actions provoke laughter and sometimes bring tears. Most of the drama is caused by Priscilla's unhappiness:—

Priscilla's family, consisting of her father (Claude Rains), aunt (May Robson), sisters (Rosemary and Lola Lane and Gale Page), and two brothers-in-law (Dick Foran and Frank McHugh), are happy when they hear that Jeffrey Lynn was returning from his concert tour, for they felt sure that Priscilla would now marry him, her husband having died in an automobile accident. The sisters accompany Gale to a doctor. She is heartbroken when he tells her she could never have a baby. Priscilla faints in the doctor's office. Upon examination the doctor finds that it was she who was going to have a baby. This brings about a change in Priscilla; she becomes moody and thinks of her dead husband, pitying him because of the unhappiness he had known. A young doctor (Eddie Albert) urges her to marry Lynn, since Lynn's affections had not changed when he had heard she was going to have a baby. She marries Lynn; but her mood remains the same—she even sends him away just before she expects the baby. In the meantime, Lola, thinking she could not have a baby, adopts one; to her surprise she learns that she was going to have a child. She and her husband decide to turn the adopted child over to Gale and her husband, Lynn, knowing that it would make Priscilla happy, orchestrates a composition of her first husband's, and plays it with a symphony orchestra. Priscilla hears it over the radio while she was at the hospi-

tal where her baby had been born. This brings about her cure, for she no longer pitied her dead husband. She and Lynn are happily reconciled. The whole family joins in celebrating the marriage of Rosemary and Albert.

The story was suggested by the novel "Sister Act" by Fannie Hurst; Julius J. and Philip G. Epstein wrote the screen play, Michael Curtiz directed it, and Hal Wallis produced, with Henry Blanke associate producer. Henry O'Neill, Vera Lewis, John Qualen, and others are in the cast.

Suitability, Class A.

"The Cisco Kid and the Lady" with Cesar Romero and Marjorie Weaver

(20th Century-Fox, Dec. 29; time, 73 min.)

Twentieth Century-Fox probably intends to start another "Cisco Kid" series, with Cesar Romero in the leading part. If so, the choice is good, for Romero handles the role effectively, alternating between romance and melodramatics in a dashing manner. As entertainment, it is a pretty good Western, with plentiful shooting, fighting, and riding. Women should like it more than they like the average western, because of the appearance in the picture of a charming baby:—

Romero and his pal (Chris-Pin Martin), who lived by their wits, are amused when they read of the many crimes attributed to Romero, known as the Cisco Kid, for Romero was not guilty, his activities being confined to helping those in need of help. Since no one knew who the Cisco Kid really was, they feel safe in travelling around. Romero and Martin decide to save a valuable gold mine for a baby whose father had been killed by Robert Barrat. Before dying, the father had torn the map of the mine's location into three parts, giving one part each to Barrat, Romero, and Martin. But Romero and Martin, knowing that Barrat would kill them so as to rob them of their portions of the map, memorize them and then destroy them. Romero falls in love with Marjorie Weaver, a young school teacher, and asks her to take care of the baby. But when he learns that she was in love with some one else, he transfers his attentions to Virginia Field, who worked in the dance hall owned by Barrat. Miss Field steals from Barrat his portion of the map, which Romero in turn steals from her. Angered, and knowing that he was the "Cisco Kid," she gives his identity away; he is put in jail. But Romero outwits every one: He induces Barrat to rob a stage coach dressed in his clothes. Barrat is caught and, since he was taken for the Cisco Kid, is fired upon and killed. Upon his release, Romero locates the mine and turns over the entire thing to Miss Weaver, in trust for the child. He continues on his travels with Martin. But Miss Field follows him, because she loved him.

Stanley Rauh wrote the story, and Frances Hyland, the screen play; Herbert I. Leeds directed it, and John Stone produced it. In the cast are George Montgomery, James Burke, Harry Green, Ward Bond, and others.

The murder makes it unsuitable for children. Class B.

"Legion of the Lawless" with George O'Brien

(RKO, Dec. 29; time, 59 min.)

A fair Western. Although there is not as much fast action as in some of the other O'Brien pictures, it holds one in suspense, for it shows the hero endangering his life by opposing the criminal forces. The fans will most likely enjoy it since it follows the routine plot, in which the courageous hero outwits the criminals and brings law and order to the town. The villains in this case are particularly vicious. There is a pleasant romance:—

O'Brien, a young lawyer, settles in a small town. He receives a visit from Norman Willis and Hugh Sothern, who order him to leave; they explain that the town was run lawfully by a Vigilante Committee and that there was no need of a lawyer. But O'Brien, knowing that the railroad was coming through and that the town would grow and need a lawyer, refuses to leave. Sothern, supposedly the head of the Vigilantes, did not know that Willis and a few others were using their membership in the Vigilantes to terrorize settlers. When he becomes aware of this and makes a decision to disband the Committee, so that a Sheriff could be elected, Willis' men kill him. O'Brien traps Willis, and exposes him for the murderer he was. The Vigilantes are disbanded, and O'Brien is elected Sheriff. He marries Sothern's daughter (Virginia Vale).

Doris Schroeder wrote the screen play, David Howard directed it, and Bert Gilroy produced it. In the cast are Herbert Heywood, William Benedict, Eddy Waller, and others.

Not for children. Suitable for adolescents and adults. Suitability, Class B.

"The Big Guy" with Victor McLaglen and Jackie Cooper

(Universal, Nov. 24; time, 78 min.)

This is a pretty gripping melodrama, with plentiful action and human appeal. Although the plot is not novel, the picture has been produced so well, and the acting of the two leading players so realistic, that one's attention is held tense throughout. Since one knows from the beginning that Jackie Cooper had been framed, one's sympathies are naturally with him. There are many exciting situations. Particularly thrilling are the closing scenes, in which a dangerous criminal tries to shoot it out with the police, at the same time endangering the young hero's life:—

Jackie Cooper is excited when Jonathan Hale, supposedly a reputable business man, shows an interest in his new motor invention. Upon receiving a call from Hale, requesting him to meet him at a certain spot so as to take him to a man who wanted to invest money in the invention, Cooper hurriedly leaves his job. He did not know that Hale was the front man for two gangsters, who had escaped from prison, and that he wanted to use Cooper to effect their getaway. At the point of a gun, Cooper is forced to drive them in his car; they had taken with them the prison warden (Victor McLaglen), whom they had knocked unconscious. The car falls down a cliff. One of the gangsters is killed. McLaglen awakens just as the other gangster was trying to make a getaway, and shoots and kills him. Upon examining the suitcase the gangster had been carrying, he finds it filled with money, which he hides. He then arrests Cooper. Since a policeman had been killed in the pursuit, Cooper is charged with murder. No one believes Cooper's story, for the invention plans could not be found. Hale is eventually found and made to appear as a witness, but he denies everything Cooper had said. Cooper is found guilty and sentenced to death. A young girl friend and her father, a lawyer, try to help him, but to no avail. McLaglen, conscience-stricken, digs up the hidden money, intending to leave the country with his wife. To his amazement, he finds that the paper in which he had wrapped the money was the plans of Cooper's invention. He goes to Cooper's lawyer, and offers to sign an affidavit clearing Cooper if he would give him a few days' time to get away. Just then he receives word of a prison break in which Cooper had escaped with Ed Brophy, a dangerous killer. When the two convicts are cornered, Brophy shoots it out with the police; he kills McLaglen, but is himself captured. Cooper is freed.

Wallace Sullivan and Richard K. Polimer wrote the story, and Lester Cole, the screen play; Arthur Lubin directed it, and Burt Kelly produced it. In the cast are Peggy Moran, Ona Munson, Russel Hicks, and others.

Not for children. Suitable for adolescents and adults. Class B.

"The Man from Montreal" with Richard Arlen, Kay Sutton, Anne Gwynne, and Andy Devine

(Universal, Dec. 8; 63 min.)

A fair action melodrama, dealing with the efforts of the Canadian Mounted Police to detect and arrest fur thieves. There is fast action, and the spectator is held in fairly tense suspense. There is some comedy, and a romance:—

Richard Arlen, popular Canadian fur trapper, is arrested when pelts, supposedly belonging to Reed Hadley, who posed as a mining engineer, were found in his canoe when he was ready to leave the trading post; he had been asked by Hadley to deliver the packages to some one in the city. The pelts, which were marked with the name of William Royle, had been stolen from Royle by Hadley and his confederates, who had been carrying on fur-stealing operations in that region. Arlen refuses to defend himself for fear that he would implicate Kay, supposedly Hadley's sister, for whose charms he had fallen. Andy Devine, friend of Arlen, visits him in jail and reveals to him the fact that Kay and Hadley were man and wife. Arlen escapes from jail and finds evidence of Hadley's guilt. When Royle is found slain, Arlen is charged with the murder. Devine hides Arlen. For this, he is suspended from the Mounted Police. Hadley plants evidence that makes Arlen appear guilty of the murder. The Mounted Police, in a battle in which they were aided by Arlen and Devine, capture Hadley, who set out to murder Arlen; they take also Kay. Arlen and Devine bring out proof of Hadley's guilt. Devine is reinstated and Arlen's name cleared. By this time, Arlen realizes that he was in love, not with Kay, but with Anne, Devine's sister.

The story was suggested by Ben Pivar; the screen-play is by Owen Francis. Christy Cabanne directed it.

Because of the fact that it deals with crime, it is Class B for children under 14. Passable for adolescents. Suitable for double-billing.

"Destry Rides Again" with Marlene Dietrich and James Stewart

(Universal, Dec. 29; time, 93 min.)

This has all the color, action, and excitement of a very good Western, with the added attraction of two box-office names of value—James Stewart and Marlene Dietrich. The story itself is routine; but that is of secondary importance, for it has been so expertly handled that one's interest never lags. The production is lavish, the action thrilling and laugh-provoking, and the performances, from the stars down, very good. The part Miss Dietrich plays seems to suit her talents better than the sophisticated roles she recently appeared in; she acts the part of a rough, tough, alluring saloon singer, and does it convincingly. Her death in the end may prove disappointing to some from a romantic point of view:—

The town of Bottleneck was run by Brian Donlevy, owner of the saloon, and by his henchmen, including the crooked Mayor (Samuel Hinds). Donlevy conducted crooked poker games, during which he would egg ranch owners into betting their ranches, and then would take them away from them. Miss Dietrich, too, helped in the cheating. After killing the honest Sheriff who had protested against the practice, Donlevy orders Hinds to name the town drunkard (Charles Winninger) Sheriff. This so impresses Winninger that he gives up drinking and takes his job seriously. The first thing he does is to send for James Stewart, son of a famous Sheriff, under whom he had once worked. Stewart arrives, but proves to be a disappointment to Winninger, for he did not believe in carrying guns. Stewart was easy-going; his idea was to clean up the town, not by gun-fighting, but by outwitting the crooks. In the meantime, every one, including Donlevy and Winninger, believed Stewart an easy mark. Stewart and Miss Dietrich become attracted to each other; she tries to warn him of his danger, but he laughs at her. Having found the body of the murdered Sheriff, Stewart arrests one of Donlevy's henchmen for the murder. He then sends for a Federal Judge to insure an honest trial. Donlevy's men break into the jail and release the prisoner. In doing this they kill Winninger. This arouses Stewart to real action. He takes his guns and, with the help of the decent citizens of the town, goes after the crooks. The women of the town join in the fight by arming themselves with bats. Miss Dietrich, noticing that Donlevy was aiming his gun at Stewart, rushes to protect him. She receives the bullet and dies. The town of Bottleneck finally gets law and order.

The plot was adapted from the novel by Max Brand. Felix Jackson, Henry Meyers, and Gertrude Purcell wrote the screen play, George Marshall directed it, and Joe Pasternak produced it. In the cast are Una Merkel, Mischa Auer, Irene Hervey, Warren Hymer, Allen Jenkins, Billy Gilbert, and others.

Not for children. Suitable for adolescents and adults. Suitability, Class B.

"Private Detective" with Jane Wyman and Dick Foran

(First Natl., December 9; time, 55 min.)

A pretty good program action melodrama. It is a murder mystery, in which the murderer's identity is not revealed until the end. The action is fast and, towards the end, pretty exciting, for the heroine's life is endangered. The romance is of secondary importance:—

Jane Wyman, who worked for a private detective agency, resigns rather than give false testimony against Gloria Dickson, whose divorced husband (John Eldredge) was trying to gain custody of their child. Miss Wyman felt certain that Miss Dickson was a decent woman, and that Eldredge's interest in his child was just to get his hands on a large inheritance left to the boy. Eldredge, at the insistence of his lawyer, telephones to the police asking for protection, claiming that Miss Dickson had threatened to kill him. The idea was to blacken her name further. When Eldredge is killed, Miss Dickson is naturally suspected as being the guilty person. But Miss Wyman thinks otherwise. Despite the disapproval of her fiancé (Dick Foran), a police inspector, she starts an investigation of her own. Eventually she proves that the murder had been committed by the lawyer, who wanted to become guardian of the child and thus gain control of the fortune. Miss Dickson's name is cleared; she is overjoyed at regaining custody of her child. Miss Wyman is thankful that Foran had arrived in time to save her from the lawyer, who held her a prisoner.

Kay Krause wrote the story, and Earl Shell and Raymond Schrock, the screen play; Noel Smith directed it, and Bryan Foy produced it. In the cast are Maxie Rosenbloom, John Ridgely, Morgan Conway, Joe Crehan, and others.

Not for children. Suitable for adolescents and adults. Class B.

is a possibility that the government may open the theatres on Sundays all over the country instead of allowing local option to determine whether they should or should not be kept on that day. If Sunday opening should be made nation-wide in Great Britain, the revenue of the American distributors would naturally increase substantially.

As far as leaving fifty per cent of their net in England for the duration of the war is concerned, it is my opinion that this will not cause them any serious difficulties, by reason of the fact that almost all that money will be spent there producing pictures for the American market. If anything, it will be an advantage, for picture production in Great Britain costs less than it does in the United States.

I hope that, in the future, you will not be moved to pity the American producer when you see him shedding tears while telling you how much their foreign receipts have been curtailed because of the war.

"WE ARE NOT ALONE" TO HAVE A HAPPY ENDING

According to Hollywood newspaper correspondents, Warner Bros. has decided to have two endings for "We Are Not Alone": the present ending, which shows the hero and the heroine going to their death, although innocent of murder; and one in which they live. The sad ending is to be retained in the big-city showings, attaching the happy ending to the prints that will go to the small towns.

Some critics, as well as many exhibitors, have expressed the opinion that the picture, highly artistic though it is, will not prove a box-office success, because of the fact that the subject is drab. This paper is of the same opinion.

But regardless whether the picture will or will not prove a big box-office success, exhibitors should not pass it up, for artistically the picture is one of the highest achievements in the motion picture industry. It is one of those pictures that appeal to the cultured picture-goers, and not so much to the masses. But it is the kind of picture that engraves itself in the mind of those who appreciate this type of work.

ADDITIONAL FACTS ON PARAMOUNT'S "GULLIVER'S TRAVELS"

In the comment about "Gulliver's Travels," which appeared under the heading "Pictures in Production Now in Hollywood" in the November 25 issue, the last name of the author and the years in which the tales were written were omitted through a typographical error. The text should read: "These imaginary adventure tales were written by Jonathan Swift, in 1726-27, while he was Dean of St. Patrick's Cathedral, in Dublin." The italicized part was inadvertently omitted.

PICTURES NOW IN PRODUCTION

(Continued from last week)

Republic

"South of the Border," with Gene Autry, produced by William Berke, with George Sherman directing. Mr. Berke is a first-class unit producer and should be able, not only to maintain the quality of this star's pictures, but also greatly improve it.

"Money to Burn," with James, Lucille and Russell Gleason, and with Harry Davenport, Tommy

Ryan, Thurston Hall, Lucien Littlefield and others in the supporting cast. Gus Meins is producing as well as directing.

"Days of Jessie James," with Roy Rogers, Donald Berry, George "Gabby" Hayes, and others. Produced and directed by Joe Kane. Perhaps the fame of the Jessie James picture that was released recently by Twentieth Century-Fox will help this picture to draw.

RKO

"Vigil in the Night," with Carole Lombard, Brian Aherne, Anne Shirley, and Brenda Forbes, produced and directed by George Stevens. It is the novel by Dr. A. J. Cronin, author of the novel "Citadel" which was produced by MGM in England. It is a drama of a self-sacrifice—the heroine, a nurse, takes the blame for something her sister had done, and loses her position as a result. But the hero, a doctor, has faith in her, stands by her, and in the end he wins her as a wife. The picture is now in the cutting room. It undoubtedly has turned out a powerful drama, and since Miss Lombard is a big drawing card, and Miss Shirley and Mr. Aherne are not strangers to the box office, the picture should do very well.

"The Swiss Family Robinson," with Thomas Mitchell, Edna Best, Freddie Bartholomew, Terry Kilburn, Tim Holt, and Christian Rob, produced by Gene Towne and Graham Baker, and directed by Edward Ludwig. The plot has been founded on the Jean R. Wyss famous novel, popular mostly among children. It deals with a family who were shipwrecked on a lonely island, succeeded in sustaining life, and when a rescue ship came some of them returned to civilization and some of them remained on the island. The cast is not so popular and the picture will have to depend almost entirely on the book's popularity to go over.

"And So Goodbye," with Jean Parker, Richard Carlson, Harry Carey, Maria Ouspenskaya, Charles Winninger, C. Aubrey Smith, and William Bakewell. It is produced by Lee Carmes and Adele Comandini, and directed by Eddie Sutherland. It is evidently meant to be a program picture, but Mr. Sutherland is a director of bigger pictures than this.

"Irene," with Anna Neagle in the stellar role, and with Alan Marshal, May Robson, Roland Young, Billie Burke, Arthur Treacher, James Gleason, Isabel Jewell, Doris Nolan and others, assisting. Herbert Wilcox is producing-directing. It is the James Montgomery romantic musical play, which proved one of the most outstanding musicals, playing to 600 performances at the Vanderbilt, where it opened November 18, 1919. Four companies played it on the road, and during its two-year run it went to the Coast twice. It played also in London. Among the songs that proved immediate hits were, "Alice Blue Gown," "Irene," "Castle Dreams," "To Be Worthy," and "Talk of the Town." Additional songs will be written by Messrs. Tierny and McCarthy. The play was produced in technicolor as a silent picture by First National in 1926, with Colleen Moore. A fashion show was included. The picture turned out fairly good. With sound, Mr. Wilcox ought to make a better picture with it. Miss Neagle is not as popular here as she is in the British Dominions, but her appearance in "Nurse Cavell" has, no doubt, built her up considerably. The picture should turn out very good, and should prove a very good box office attraction.

(To be continued next week)

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HARRY BRANDT'S THOUGHTS IN A TANGLE

In an editorial that I printed in last week's issue of HARRISON'S REPORTS, I informed you that Harry Brandt, president of I.T.O.A. of New York, a shadow organization, has toured the different film zones, talking against the Neely Bill, and criticizing Abram F. Myers, general counsel of Allied States Association, and blasting the Warner Bros. organization.

In that editorial I informed you that I was expecting a transcript of the speech he made in Chicago, and that, when it arrived, I would study it in order to find out how much nonsense he dished out with a view to making further comment, if I should find it necessary to do so.

Well, the transcript arrived and all I can tell you is that I am now just as much at a loss to know where Harry stands in matters that pertain to vital exhibitor-producer issues as I have ever been. If Harry were to be called "a windmill," or "a weather vane," the appellation would not, in my opinion, be wrong, for the position that he took in his talks in the different zones is contrary to the position he often took before the trip. As a matter of fact, his Chicago speech proves him inconsistent from one paragraph to another.

For instance, in referring to the conferences that culminated in the drafting of the Code, he says in one breath: "I don't think that I ever entered into a proposition with more gusto, with more heart, with more feeling, than when I went into the so-called trade practices"; and in the next breath he says: "From the very inception of the code negotiations, I shouted, both from our own paper [*The Independent*] and through the trade press, as loudly as I could, that the I.T.O.A. didn't give a damn about the code. . . . We don't like anything about the code, because, in the final analysis, if you study the proposed code you come to the conclusion that the only thing the code deals with is dollars and cents. . . ." A perfect confusion of thoughts.

But that isn't all: Harry's confusion of thoughts becomes clearer when one reads what he said in the trade press the day following the "killing" of the code by Thurman Arnold, assistant Attorney General. The trade papers of August 21 quote him as having said the following:

"Thurman Arnold has been ill-advised regarding the trade practice code and the need of the independent exhibitors. Divorcement of theatres is not important to the welfare of the independent exhibitors. What is important is that the troubles that would be solved through the arbitration provision of the code would mean a great deal to the success of the independent theatre operation.

"I earnestly entreat the distributors to go ahead with the code and allow the exhibitors of the nation to take advantage of what it offers. . . ."

I don't know whether Harry, in the event that the distributors took his advice, offered to go to jail for them if they should have been found guilty of having violated the anti-trust law on a complaint by the Department of Justice, but it is not material to this issue; all I want to do is to ask you to tell me whether Harry is for or against the Code—for the life of me I cannot determine the matter, for in August he was for the Code, whereas two weeks ago, in Chicago, he was against it; and so far as I know, he may be for it again by this time.

Let us continue quoting from the aforementioned paragraph, taken from his statement to the trade press on August 21: He says, "If the code is not revived by the distributors, the exhibitors can place the blame on the shoulders of Abram F. Myers who has campaigned most actively for Government intervention rather than logical exhibitor relief. . . ."

From reading this, you might form the opinion that Harry is decidedly opposed to government regulation of the picture industry. If so, you have another guess coming, for, in accordance with the transcript of his Chicago speech, he, addressing Allied, said:

"If, instead of going for that Neely Bill, you had gone and had a commission set up using the same energy and effort to regulate the motion picture industry, how much better off our position would be!"

Now, Harry does not make it clear whether he meant a government or an industry commission; I take it for granted that he meant government commission, for the simple reason that only a commission set up by law can decree regulations that anybody would pay any attention to. That granted, then where is his consistency? On the one hand, he brands the Neely Bill as "government regulation," even though this Bill provides for no government regulators but leaves its application to the district courts, just as is the case with all other Federal laws; and on the other, he advocates a government commission to regulate the industry's affairs, chiding the Allied leaders for having failed to pursue such a "worthy" object.

Personally, I am opposed to a government regulatory commission, and if I were to tell you that every Allied leader feels likewise I would not be misleading you; that is the opinion that I have formed from my long association with them.

I don't want to tire you out by citing more statements of his to prove to you how inconsistent he is, but I would suggest that a medal be struck to be pinned on his breast so as to reward him for his ability to command attention in the face of so many palpable inconsistencies.

And yet you should not misjudge Harry; he is nobody's fool—he is a pretty smart fellow. And, being smart, he must have reasons for his inconsistencies—for changing opinions as often as the wind changes direction. All we can do is to try to divine what makes him change his opinions. What are the motives? Let us analyze his actions:

In addition to owning a large number of theatres in this territory, Harry has a booking corporation. To any theatre that belongs to this corporation, he charges a weekly booking fee.

To make this corporation as well as his theatres profitable, he must pay for film as cheap a price as possible, and obtain the earliest play-dates available.

But how can he obtain these advantages? He surely can not obtain them only by paying his bills promptly, for others, too, can do the same thing. Besides, an exhibitor has to pay for his film before he gets it; or, at least, shortly after he gets it. He can obtain these advantages, then, only by rendering to the producers some special service.

And what is a better service than that of helping them kill the Neely Bill? Formerly they employed Ed Kuykendall for the purpose—Ed used to present himself to the legislators, in Washington as well as elsewhere, as the president of Motion Picture Theatre Owners of America, a ponderous title, impressing the legislators with it, because these did not know that M.P.T.O.A. was a subsidiary of the producer's association. But now they know it. Consequently, M.P.T.O.A. and Ed Kuykendall have ceased to be of value to them. And since they must have some one else to do what Ed used to do, Harry comes in handy. Hence the building up they are giving him.

Do you doubt it? Look at the trade papers: in the last two months, the name of Ed Kuykendall has disappeared from the news. And last October M.P.T.O.A. was to have its annual convention; but the producers vetoed it, permitting only a meeting of the board of directors, giving the saving of costs as an excuse.

(Continued on last page)

**"The Great Victor Herbert" with
Allan Jones, Walter Connolly
and Mary Martin**

(Paramount, December 29; time, 90 min.)

Fine entertainment! The production is extremely lavish and the story, although not novel, has plentiful human appeal. But more than anything else, it is Victor Herbert's captivating music that makes the picture enjoyable, particularly since most of the songs are sung by Allan Jones and Mary Martin charmingly. Older folk will thrill to the music, for it will most likely bring back to them pleasant memories. The younger generation, too, should enjoy it, since the music is melodic. The most touching situation is the one towards the end, where the hero inspires his daughter to achieve success; without being maudlin, this scene stirs the emotions:—

Mary Martin, a small-town girl, who aspired to become an actress, finds it difficult to interest in her talents any manager. During a public celebration of Walter Connolly's (Victor Herbert's) birthday, she accidentally becomes acquainted with Allan Jones, popular singer, who had appeared in all of Connolly's operettas. It is love at first sight. Jones fights to gain recognition for Miss Martin, and finally succeeds in inducing Connolly to engage her for his new operetta. She becomes a star over night. Fearing that she was over-shadowing her husband, Miss Martin decides to give up the stage, particularly since she was expecting a baby. But after the birth of the child, Jones' popularity wanes. Thinking that she was hurting Jones' career, Miss Martin leaves for Switzerland with the child. Two years later she learns from Connolly that Jones was not successful, as he had led her to believe, and that he owed a great deal of money. She returns to America and becomes reconciled with him. But things go from bad to worse and, to make ends meet she gives singing lessons. When their daughter is fourteen years old, Miss Martin decides to go back on the stage in a revival of one of Connolly's operettas. Jones, feeling he was in her way, accepts an engagement in Australia; he breaks the news to her on the opening night of her play. The news so unnerves her that she loses her voice. Her daughter (Susanna Foster), who had a beautiful voice and knew the play perfectly, steps into her mother's place. But she is so nervous that, during the first act, she makes a poor showing. Jones, who was in the audience, rushes backstage and, donning a costume, joins the chorus and manages to get near to his daughter. His presence so inspires her that she makes a tremendous hit. The family is happily reconciled.

Andrew L. Stone and Robert Lively wrote the story, and Russell Crouse and Robert Lively, the screen play; Andrew L. Stone directed and produced it. In the cast are Lee Bowman, Judith Barrett, Jerome Cowan, John Garrick, Pierre Watkin, and others.

Suitability, Class A.

**"Two Thoroughbreds" with Jimmy Lydon
and Joan Brodel**

(RKO, December 8; time, 61 min.)

A fair program picture, suitable mostly for those who enjoy stories about horses. The plot is, however, routine. The picture's main attraction is the performance given by young Jimmy Lydon, a mistreated orphan, who finds happiness in his love for a horse. What the story lacks in action and excitement is made up for in human appeal, for one feels deep sympathy for the young boy:—

A famous horse is stolen from Selmer Jackson's racing stables. Her young foal tries to follow the crooks' van and, in so doing, becomes lost. The foal turns up next day on the farm owned by Arthur Hohl and his wife (Marjorie Main), and their young orphaned nephew (Jimmy Lydon) is overjoyed, for he loved horses. Since he was mistreated by his relatives and was lonesome, he felt that the horse would bring him happiness. At first Hohl objects to Lydon's keeping the horse, but when Jimmy suggests that they might receive a reward for it, they permit him to keep it. Jimmy goes around to the different farms to inquire if they had lost the foal; Jackson's stable hand, who had been in on the robbery, naturally refuses to admit that they had. And so Jimmy keeps the horse. Some time later, he becomes acquainted with J. M. Kerrigan, who was Jackson's manager. Kerrigan tells him how to care for the horse. Jimmy accidentally learns about the theft, and realizes that his horse was the missing foal. But he says nothing about it, for he could not bear to part with the animal. Jackson's young daughter (Joan Brodel), who had taken a liking to Jimmy, visits him and sees the horse; she recognizes it immediately. She urges her father to permit her to buy it from Hohl without telling Jimmy that they knew about the

horse, for she felt certain that Jimmy would eventually tell them the truth. The horse is injured, and Jackson orders him to be shot. But Jimmy's tears and confession touch his heart and he requests the vet to try to heal the horse's broken leg. To the joy of Jimmy and Joan the horse recovers. Jimmy decides to stay on at Jackson's farm as a stable hand.

Joseph A. Fields wrote the story, and he and Jerry Cady, the screen play; Jack Hively directed it, and Cliff Reid produced it.

Suitability, Class A.

**"Inspector Hornleigh on Holiday" with
Gordon Harker and Alastair Sim**

(20th Century-Fox, December 1; time, 77 min.)

This British-made picture is a pretty good murder mystery melodrama, with plentiful comedy. The only drawback, as far as the American masses are concerned, is the fact that the players are not known well here, and the accents and settings are definitely British. Otherwise, the story holds one in tense suspense throughout; for one thing, the identity of the head of the murder gang is not divulged until the end, and, for another, the plot is developed in an interesting and absorbing manner. Occasionally the action becomes a bit far-fetched; but this is done in order to provide the comedy and may not be objectionable. There is no romance:—

While vacationing at a seaside resort, Gordon Harker, a Scotland Yard inspector, and his assistant (Alastair Sim) are called upon to identify the body of one of their fellow-roomers (Edward Chapman), whose car had fallen from a cliff. Once the rural police officer discovers their identity he asks them to help him with the investigation. Harker feels certain that it was murder. During the investigation, they are amazed to discover that Chapman was alive; but before they could interrogate him, he is murdered. Harker finally proves that Chapman had been part of a gang that had been defrauding insurance companies. The members of the gang were all heavily insured; they would obtain bodies of persons who had died, identifying them later as members of their gang. They would then collect the insurance. Chapman was killed because he had tried to double-cross the leader. Harker further reveals that the leader, though a man, was posing at a hospital as a matron, thus making it easy for him to obtain bodies. The gang is broken up and the members and the leader arrested.

Sidney Gilliat wrote the screen play, Walter Forde directed it, and Edward Black produced it. In the cast are Linden Travers, Wally Patch, and others.

Not for children. Suitable for adolescents and adults. Class B.

**"Escape to Paradise" with Bob Breen,
Kent Taylor and Marla Shelton**

(RKO, December 22 [1938-39]; time, 62 min.)

Just a mildly entertaining program picture. The story is trite, the action slow, and the dialogue stilted. Too much of the dialogue is spoken in Spanish, making it unintelligible to American audiences. About the only thing in its favor is Bob Breen's singing; his voice still exerts a strong appeal to many picture-goers. The romance is routine:—

While on a world cruise, Kent Taylor stops off at a small South American town, going ashore in order to avoid the unwanted attention of one of the passengers. He accidentally meets Marla Shelton, whose father was one of the leading citizens of the town, and decides to leave the cruise so as to win her affections. Bob Breen, who ran a motorcycle-taxi service, becomes acquainted with Taylor and advises him as to how to proceed with the romance. Breen spreads the tale that Taylor was planning to buy most of the mate produced in the town, thus bringing wealth to every one. Taylor does buy a small quantity, just to get in right with Miss Shelton's father (Pedro deCordoba). But when he realizes that he was expected to buy their entire output, he is flabbergasted for he had no need of the mate, the first batch of which he had shipped to a friend in New York. Just as he was preparing to leave the country, disgraced in the eyes of the natives, he receives a cable informing him that the mate was an excellent buy and that he was authorized to buy the entire output. Everyone is made happy; and Taylor and Miss Shelton are united.

Ian Hunter and Herbert C. Lewis wrote the story, and Weldon Melick, the screen play; Erle C. Kenton directed it, and Barney Briskin was associate producer, and Sol Lesser producer. In the cast are Joyce Compton, Robert O. Davis, Rosina Galli, and others.

Suitability, Class A.

"All Women Have Secrets" with Jean Cagney and Joseph Allen, Jr.

(Paramount, December 15; time, 68 min.)

A mildly entertaining program picture. Although it has a collegiate background, the story does not go in for sports or music, but centers instead on the marital difficulties of three young couples, students at the college. Since the plot is not unusual, one's attention lags at times. As a matter of fact, whatever interest one has in the characters is due to the engaging performances given by the players:—

Three couples—Joseph Allen, Jr., and Jean Cagney, Peter Hayes and Virginia Dale, and John Arledge and Betty Moran—all students at the same college, decide to marry, even though they were without funds. In order to continue with their studies, the men find jobs to do in their spare time. This works a hardship on Allen, since he could not find time to do research work in chemistry, thereby endangering his chances of winning a scholarship. Miss Cagney takes things into her own hands; she gets a night job as a singer in a cafe. But she is forced to give this up when she finds out she was going to have a baby. Knowing that Allen would sacrifice his career if he knew the truth, she refrains from telling him. But when he imparts to her the news that his chemistry professor had won a large sum in prize money and that he wanted to take him to Europe for a year's research work, Miss Cagney decides to run away. She is prevented from doing this, for she receives a hurry call from Arledge, whose wife was about to have her baby. After the baby is born, Miss Cagney goes back to her apartment, where she finds Allen, who had read the note she had left, quarrelling with the professor. He refused to go to Europe and was insisting on leaving college so as to support his wife. But the professor solves the problem by offering to pay the young couple's expenses until Allen graduates.

Dale Eunson wrote the story, and Agnes C. Johnston, the screen play; Kurt Neumann directed it. In the cast are Janet Waldo, Lawrence Grossmith, Una O'Connor, Kitty Kelly, and others.

Suitability, Class A.

"The Llano Kid" with Tito Guizar

(Paramount, December 8; time, 69 min.)

This remake of the O. Henry story, "The Double Dyed Deceiver," is a fair program melodrama with incidental music. It cannot be classed in the same category as a western. The pace is leisurely, all the excitement being concentrated in the closing scenes, where the hero, a former bandit who had reformed, outwits the criminal forces. Since the hero is at first presented as a bandit, one naturally is against him; but his gradual reformation wins one's sympathy. The romance is pleasant:—

Tito Guizar, an outlaw, holds up a stage coach, stealing from it a Wells Fargo gold shipment. Gale Sondergaard, one of the passengers, dares to look at him; he boldly kisses her. That evening he shows up in town and goes to the saloon; he felt safe, for no one, aside from Miss Sondergaard, knew what he looked like. He gets into a poker game. Noticing that the dealer was cheating, he objects, and then shoots and kills the man in self defense. The Sheriff frees him on that charge; suspecting, however, that he was the notorious bandit, he asks Miss Sondergaard to identify him. But she pretends not to recognize him, first, because she was attracted to him, and, secondly, because she felt he would fit into a plot she and her husband (Alan Mowbray) were hatching. He enters into their plan, which was to present him as the long-absent son of Emma Dunn, a wealthy Mexican ranch owner. The idea was to gain possession of her wealth, which they would share. Guizar poses as the long-absent son and is accepted, but under the influence of Miss Dunn and of her ward (Jane Clayton), whom he was supposed to marry, he changes for the better. He discovers that the man he had killed was the legitimate son. The Sheriff, whom he had eluded, catches up with him, ordering him to tell Miss Dunn the truth. But, before Guizar could confess, Mowbray and his gang start a raid on the ranch, their purpose being to steal all the money and the valuables. Guizar and the Sheriff prevent them from doing so. The Sheriff, realizing that Guizar had changed and that he had brought happiness to Miss Dunn, decides to forget everything and leaves.

Wanda Tuchock wrote the screen play, Edward D. Venturini directed it, and Harry Sherman produced it. In the cast are Minor Watson, Harry Worth, Anna Demetrio, Chris Martin, and others.

Not for children. Suitable for adolescents and adults. Class B.

"Barricade" with Alice Faye and Warner Baxter

(20th Century-Fox, December 8; time, 71 min.)

An artificial plot, developed in a ponderous way, makes this melodrama just passable entertainment. It is only in the closing scenes where anything exciting occurs; there one is held in suspense. This is hardly the type of picture one expects to see Alice Faye in; she is given no chance to display her musical talents. This may disappoint her fans. Moreover, the character she portrays is an unsympathetic one; and so is that which is portrayed by Warner Baxter. Charles Winninger is the only one for whom one feels sympathy:—

Miss Faye and Baxter, two passengers on a train, learn that Mongolian bandits had invaded the town ahead and that the train would have to go back. Not wanting to go back, Miss Faye leaves the train and walks through war zones, finally arriving at the compound of an American consul, who, together with his staff, were menaced by the bandits. In order to get a passport to America, she assumes a Russian accent; she tries to win the sympathy of the Consul (Winninger), by telling him a sad story of the death of her "husband." She is surprised to find Baxter a guest at dinner that night. She and Baxter are drawn to each other. She drops the accent and tells him about herself—that she had killed a man and that she wanted to get back to America. Thrilled at the bravery displayed by Winninger in bringing people from the English mission to the compound, Baxter, a newspaper reporter, decides to get word of their plight to the newspapers. He and Miss Faye risk their lives by leaving the compound, but they reach the deserted telegraph office and Baxter succeeds in sending the message through. They are spotted by the bandits; yet they manage to get back to the compound safely. But the bandits start attacking. Realizing that they would be killed, Winninger orders every one to hide in the cellar. The bandits force an entrance, but are amazed to find no one in the house. The cry of one of the children gives their hiding place away. But Nationalist Army troops, who had been informed by newspapers about the situation, arrive in time to capture the bandits. Winninger receives recognition for his bravery. And Miss Faye and Baxter decide to marry.

Granville Walker wrote the story and screen play, Gregory Ratoff directed it, and Edward Kaufman produced it. In the cast are Arthur Treacher, Keye Luke, Willie Fung, Doris Lloyd, and others.

Because of the confession of murder it is unsuitable for children. All right for adolescents and adults. Class B.

"Nick Carter, Master Detective" with Walter Pidgeon and Rita Johnson

(MGM, December 15; time, 59 min.)

A pretty good program action melodrama. Although the story is not novel, it has been developed with a few interesting twists and, since the action is fast, one's attention is held well throughout. There is plentiful comedy, too, which is provided by a nit-wit character who imagines himself to be a great detective and insists on following the hero on important sleuthing work. The romance is incidental but pleasant:—

Walter Pidgeon, a famous detective, arrives at an airplane factory and is introduced as the new assistant to the manager; no one knew his identity. His work was to uncover the gang that was operating in the factory, stealing valuable plans and committing sabotage. Several persons are suspected, mainly Henry Hull, the inventor of the new valuable machine. But this suspicion is cast aside when Pidgeon finds Hull murdered. In Pidgeon's eyes every one is a suspicious character, even Rita Johnson, an airline hostess; but she proves to him that he was wrong about her. He takes her into his confidence, asking her to work with him. He finally solves the case by showing that the company doctor (Stanley Ridges) had been at the head of the spy ring, and that he had gotten pictures of the plans out of the factory by inserting them in bandages used on such injured workers as were members of his gang. With the work finished, Pidgeon turns his attentions to Miss Johnson; he had rescued her from the spy gang that was holding her, trying to force Pidgeon to come to terms with them, threatening otherwise to kill Miss Johnson.

Bertram Millhauser and Harold Buckley wrote the story, and Bertram Millhauser, the screen play; Jacques Tourneur directed it, and Lucien Hubbard produced it. In the cast are Donald Meek, Addison Richards, Milburn Stone, Sterling Holloway, and others.

Suitability, Class A.

In last week's issue I stated that the Neely Bill is sure to be passed by the House of Representatives. The producers know this and they are grasping at Harry to help them kill it just as a drowning man grasps at a straw. The title, "President of Independent Theatre Owners Association of New York" sounds impressive, and they hope that they may awe the national legislators enough to make them listen to what Harry says regarding the Neely Bill. It is a one hundred to one chance; but what have they to lose?

REGARDING "DISRAELI"

In the editorial "The Producers' Fondness for Remakes," which appeared in the November 25 issue of this publication, I criticized Warner Bros. for remaking "Disraeli," on the ground that it has already been produced twice, and that the story is nothing to brag about. In reply to this criticism, Mr. Charles Einfeld, Director of Advertising and Publicity for the Warner organization, has written me as follows:

"Dear Pete:

"I note that in your issue of Nov. 25, you take exception to the Warners' plan to produce 'Disraeli.' It so happens that I know something about the story now being prepared and am passing this on to you because I realize that you are always interested in learning the facts.

"'Disraeli' is being handled from an entirely new angle in the version now being readied. Instead of Arliss, a much younger and more attractive fellow, Laurence Olivier, will play the prime minister and, incidentally, 'The Prime Minister' is the new title of the picture.

"In contrast with the other versions, this one will go into Disraeli's boyhood and youth and will have a powerful love story which never before has been treated. Charming Geraldine Fitzgerald will afford the feminine romantic interest opposite Olivier and this love element should vastly widen the picture's audience appeal.

"Altogether, 'The Prime Minister' is planned as a definitely fresh presentation of the subject. My authorities are Michael Hogan, writer of 'Nurse Edith Cavell' for RKO, and Aeneas MacKenzie, who are working on the script of this picture. Incidentally, they are two of Hollywood's top writers."

Since my criticism was done with a constructive purpose, I am glad to reproduce Mr. Einfeld's letter for the information of the exhibitors.

PICTURES NOW IN PRODUCTION

RKO

(Continued from last week)

"The Marines Fly High," with Richard Dix and Chester Morris, with Robert Sisk producing and Ben Stoloff directing. It will no doubt be an action picture, the box office success of which will be commensurate with the popularity of Mr. Dix, helped by Chester Morris.

"The Primrose Path," with Ginger Rogers, Joel McCrea, Marjorie Rambeau and Vivian Osborn, produced and directed by Gregory LaCava. The play, upon which this picture has been founded, was pretty "dirty." But RKO has informed this office that the play has been altered radically so as to take all "dirt" out of it; and since two popular players are in the leading parts the picture should prove either a good or a very good box office attraction.

"The Saint's Double Trouble," with George Sanders, Helen Whitney, Bela Lugosi, and Jonathan Hale, produced by Cliff Reid and directed by Jack Hively. A double-bill program picture.

Twentieth Century-Fox

"Young As You Feel," with the Jones Family series cast, produced by John Stone and directed by Mal St. Clair: Program (already finished).

"Shooting High," with Jane Withers and Gene Autry, produced by Sol M. Wurtzel and directed by Alfred Green. (Already finished.) Nothing is known of the story, but in view of the fact that Jane Withers draws pretty well, and Gene Autry is the best western box office star, the picture should do well at the box-office, or even very well if the story should be good.

"The Bluebird," with Shirley Temple, produced (in technicolor) by Gene Markey and directed by Walter Lang (already finished). The Maeterlinck book, upon which the plot of this picture has been founded, was produced in the silent days (1918) by Paramount. Although it turned out a highly artistic picture, it did not do well at the box office, because it is a fairy tale, and pictures based on such tales

were not popular in those days. How it will fare this time it is hard to tell definitely before the picture opens. Twentieth Century-Fox is going to roadshow it, and in view of the fact that the picture has been produced in color, it is probable that it will do well, in spite of the fact that Miss Shirley has lost a great deal of her popularity.

"Little Old New York," with Alice Faye, Richard Greene, Fred MacMurray, Brenda Joyce, Andy Devine and Henry Stephenson, produced by Raymond Griffith, and directed by Henry King. (In view of the fact that on November 4 the picture was in production 37 days, it has undoubtedly been completed by this time.) This story was produced once before, by Cosmopolitan-Paramount, with Marion Davies in the leading part. Sidney Olcott directed it. The picture turned out excellent—the best that Marion Davies had been in up to that time, and made an excellent success at the box office. The present cast, too, is popular, and with the alterations that have undoubtedly been made in the story it should go over well.

"The Grapes of Wrath," the Steinbeck novel, with Henry Fonda, Jane Darwell and others, produced by Nunnally Johnson, and directed by John Ford. This picture has created considerable discussion in the industry—as to whether it could or could not make a good picture. The story material is not suitable for picture purposes, but considering the big price Zanuck paid for the book, and the fact that it is a best seller, radical alterations have undoubtedly been made in the plot. Its success, however, will depend, as a box office attraction, almost wholly on the sensation that the book has created; as an entertainment, on the alterations that have been made in the plot.

"Charlie Chan at Panama," with the usual cast, produced by Sol Wurtzel and directed by Norman Foster. The usual program stuff.

United Artists

"Rebecca," the Daphne Du Maurier best seller, with Laurence Olivier, Joan Fontaine, Judith Anderson, Gladys Cooper, George Sanders, Nigel Bruce, Reginald Denny, C. Aubrey Smith, Melville Cooper, and others; produced by David O. Selznick, and directed by Alfred Hitchcock. (Probably finished by this time.) It should turn out a very good to excellent box office attraction.

A Chaplin Production. (On November 25 it was 63 days in production.) Nothing is known of the nature of the story and, despite Chaplin's old fame, this picture's success will depend mostly on the freshness of the comedy gags.

"House Across the Bay," with Joan Bennett, George Raft, Gladys George, Walter Pidgeon, Lloyd Nolan, and others, produced by Walter Wanger, and directed by Archie Mayo (undoubtedly finished). It is the story of a girl who falls in love with a mysterious young man and marries him; later it turns out that, not only there was a Federal tax charge against him, but also his life was in danger because of his past connections with politicians of shady reputation. It is an unhappy story, the kind that can hardly make a happy picture, unless altered radically.

Universal

"The Invisible Man Returns," with Sir Cedric Hardwicke, Vincent Price, Nan Grey, and others, produced by Ken Goldsmith, and directed by Joe May (finished). In all probability it is a copy of "The Invisible Man," produced by this company several years ago. That picture turned out amusing, and fared well at the box office.

"Charlie McCarthy, Detective," with Edgar Bergen and his famous dummy, and with Constance Moore, Mortimer Snerd, Robert Cummings, Warren Hymer, Harold Huber, Edgar Kennedy, Granville Bates, and others, produced and directed by Frank Tuttle. It should prove a sure hit.

"My Little Chickadee," with Mae West, W. C. Fields, Joseph Calleia, Dick Foran, Anne Nagel, Billy Benedict, and others, produced by Lester Cowan, and directed by Edward Cline. With some good luck in production, the picture should turn out a box-office sensation.

"The Road to Romance," with Tom Brown, Peggy Moran, Isabel Jewell, Juanita Quigley, Allen Jenkins, and Donald Meek. A good program picture.

Warner Bros.

"The Life of Dr. Ehrlich," with Edward G. Robinson, Ruth Gordon, Otto Kruger, Maria Ouspenskaya, Donald Crisp, Donald Meek, Montague Love, John Miljan, Henry O'Neil and others, produced by Wolfgang Reinhardt, and directed by William Dieterle (probably finished by this time). The story deals with the famous bacteriologist, discoverer of Salvarsan. In view of the strong cast and of the capable director, the picture should turn out a very good box office attraction.

(To be continued next week)

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No. 51

A NEW ATTEMPT TO REACH SCREENS FOR ADVERTISING PURPOSES

An offer to flash spot news on the theatre screens for the purpose of selling space and time to national advertisers has been made by Theatre Communications, Inc., of New York, to the newspaper publishers of the State of Pennsylvania, manifestly as a test, so that, if those publishers should accept the scheme, it might be offered to the publishers of all other states.

The scheme is practically as follows: Through the facilities, whatever these are, of Transradio Press and Bell Telephone, this company will make available to the picture theatres of the State of Pennsylvania a series of news events, international as well as national, to be shown between programs.

In cities of 100,000 inhabitants or fewer, there will be furnished service for the two evening performances, whereas in cities of more than 100,000, there will be delivered from three to six newscasts, at two hour intervals, between the hours of 10 a.m. and 10 p.m.

The screening of news that reaches too late for printing in the evening papers will be limited to three minutes.

Theatre Communications will not accept advertising from local merchants unless sponsored by one of the local papers, but will not require newspaper approval on national advertising.

Such is in substance the plan.

I have asked for an interview from the president of this concern in order that I might obtain additional details, but my letter has remained unanswered.

I could not, of course, advise you against subscribing to such a service, for after all it will be you who will have to make the decision, but I do want to place before you facts that will, I hope, enable you to reach a correct decision:

Certain newspaper associations have sent me their confidential bulletins dealing with this matter and the indication is plain that the newspaper publishers, not only of the State of Pennsylvania, but also of every other state, are opposed to this or any other similar plan. One bulletin, after criticizing the scheme, wrote as follows:

"It is suggested that every publisher receiving a request from Theatre Communications along the above-mentioned line protest to their theatres against any such scheme. . . . Please advise the Central Office as to results."

It is hardly necessary for me to tell you how the newspaper publishers will view any attempt on your part to turn your exhibition screen into also an advertising screen; you know better than any one else that, when you so turn it, you become a competitor to the newspapers, for you deprive them of revenue that is justly theirs.

The newspapers of the nation have been good friends to the motion picture industry and it would be ill-advised if you were to repay them with ingratitude. And you have not ceased needing their moral support. What would they say to you if, in the event that you turned your exhibition screen also into an advertising screen for national products, you went to them and asked them for their moral support on an issue that might affect the interests of the motion picture industry vitally?

Since you need their moral support every day, HARRISON'S REPORTS advises you to keep their good will.

THE PERENNIAL HARRY BRANDT

Curiosity to find out whether Harry Brandt, president of the so-called I.T.O.A. of this city, had any new argument to expound against the Neely Bill, or any new thoughts to advance for the betterment of the independent exhibitor lot, drove me to Philadelphia, to attend the luncheon that had been arranged for him by Jay Emanuel, publisher of "The Exhibitor."

It is hardly necessary for me to tell you that I found Harry the same fellow that I have known for a long time: he takes a false premise, builds a story on it and, with his fair "gift of gab," clothes it with verisimilitude; that is, gives it an appearance of truth.

Let us take one or two cases from among those that I jotted down during his speech:

The Neely Bill, if enacted into a law, will, he charged, put out of business, not only every exhibitor, but also every producer-distributor—"even MGM." As a matter of fact, he was so convinced of it that he offered to Al Steffes, whom he met recently in Chicago, that they submit the Bill to a lawyer and if that lawyer did not opine that it would do just what he, Harry, claimed it would, he would be willing to join forces with Allied to fight for its passage.

The law profession certainly ought to feel grateful for the high opinion he has of the judgment of all lawyers, but you can see for yourself how fallacious is his argument against the Bill.

Harry told the audience that, when he first read the Bill, he was so worked up, that he, in order to make sure that his senses did not deceive him, gave it to his wife to read. He did not tell us what Mrs. Brandt's opinion was after reading it, but I wonder whether he consulted her before making this tour. I doubt it. If he had, I am sure that she would have advised him against it.

Harry said that 90% of the exhibitors have not read the Bill, and one-half of those who have read it do not understand it.

I don't know where he has obtained his figures from, but I am inclined to believe that he is amongst the one-half of the 10% who do not understand it. Do you want proof? Here it is: In his speech he advocated the defeat of the Bill on the ground that the Government will have to appoint supervisors to see that its provisions are not violated; and supervision will eventually mean regulation. Now, I ask you: where in the Bill is there a provision for government supervisors? There is none! Do you disagree with me, then, when I say to you that, among the 10% who have read the Bill, Harry belongs to the one-half who do not understand it?

So, as you see, Harry took a false premise and, with an emotional outburst of a Billy Sunday, tried to make you believe that your salvation lies in the defeat of the Neely Bill.

He said that not one exhibitor wants the elimination of block-booking. Comment on this statement is hardly necessary; even Harry himself must have realized that his oratory carried him away when he made that statement.

There are other similar statements that he made; but what I have discussed is enough, I feel sure, to prove to you that there is no substance in his arguments against the Neely Bill.

(Continued on last page)

"The Hunchback of Notre Dame" with Charles Laughton and Maureen O'Hara

(RKO, December 29; time, 116 min.)

Very good! Audiences should be thrilled anew by this lavish remake of Victor Hugo's famous novel. As in the first version, the spectator should be awed by the remarkable reproduction of the famous Notre Dame Cathedral, by the thrilling mob scenes, and by the massiveness of the whole production, and thrilled by the exciting action, and by the excellent performances. Charles Laughton's makeup as Quasimondo the hunchback is so hideous that at first it repels one. But as the story develops one begins to feel intense pity for him and one thus forgets his ugliness. Laughton gives an outstanding performance. The scene in which he cries out against his ugliness is touching. And so is the situation in which he is whipped in the public square. There are scenes that excite one, others that make one laugh, and still others that hold one in tense suspense. The closing scenes are the most thrilling. The action takes place in Paris, during the old days of superstition, ignorance, and tyranny:—

The King of France (Harry Davenport) is broad-minded and expresses joy when he hears that the mob was becoming restless and tired of the tyranny of the nobility. But the bigoted Chief Justice of Paris (Sir Cedric Hardwicke) warns him that people should be ruled with an iron hand. For the first time in his life the Justice becomes enamored of a woman, of Esmeralda (Maureen O'Hara), a young gypsy girl; but she refuses his attentions, turning her eyes instead on a handsome army officer (Alan Marshal). The Justice orders Quasimondo (the hunchback) to abduct Esmeralda. But the mob catches him; they rescue Esmeralda and arrest Quasimondo, whom they beat in the public square. Esmeralda alone shows pity for him by giving him water. That kind gesture on her part makes Quasimondo her slave. The Justice, finding Esmeralda with the officer, kills the man. Esmeralda is held for the murder, tried, and convicted. She is sentenced to be hung. The Justice confesses to his brother, the Archbishop (Walter Hampden), but tells him that the girl must die, because she was a witch. On the day of the execution Quasimondo risks his life to save her: by swinging from the cathedral tower to the scaffold, he grabs Esmeralda and swings her back to the tower. He knew that, while she was in the church, she was safe. The King of Beggars (Thomas Mitchell), mistrusting the nobles and fearing they would kill Esmeralda, calls together his men to save her. A young poet (Edmond O'Brien), who loved Esmeralda, pleads with the Beggar King to wait until he could see the King about a pardon; but the Beggar King refuses to wait. When Quasimondo sees the mob approaching, he thinks that they wanted to get Esmeralda so as to hang her. He goes mad. He throws rocks down on them, finally pouring molten lead down on them, killing many. The Justice sneaks up to the tower to get the girl, but Quasimondo grabs him and hurls him to his death. The mob is finally subdued, and Esmeralda is pardoned, for the Archbishop had told the King the truth. Esmeralda and the poet are united.

Sonya Levien wrote the screen play, William Dieterle directed it, and Pandro S. Berman produced it. In the cast are Katharine Alexander, Minna Gombell, Arthur Hohl, and others.

Too terrifying for children. Suitable for adolescents and adults. Suitability, Class B.

"Joe and Ethel Turp Call on the President" with Ann Sothern, Lewis Stone and William Gargan

(MGM, December 1; time, 70 min.)

A fair little program picture, with human appeal and comedy. The story is thin and somewhat dragged out. But it has moments that are delightful, mainly because of the competent performances. Ann Sothern and William Gargan, as the plain Brooklyn couple who demand their rights as citizens to see the President of the United States, provide most of the comedy by their slang expressions and tough manner; at the same time one feels sympathy for them.

In the development of the plot, Miss Sothern and Gargan are enraged when Walter Brennan, the district mailman, who had covered the route for many years, is arrested on a charge of having destroyed a letter addressed to Marsha Hunt. Being unable to get any satisfaction from local politicians, Miss Sothern and Gargan decide to go to Washington to put the case before the President. Their insistence wins for them an audience with the President (Lewis Stone). They tell him the story about Brennan—that he had always loved Miss Hunt, who had married some one else. When her husband had died, he had helped

her bring up her young son. But the boy turned out bad and left home. Knowing that Miss Hunt idolized her son, Brennan used to write her letters signed by the son, telling the mother about his success. In that way she did not know that he was a criminal. When a letter had arrived for Miss Hunt from the Government, informing her that her son had been killed during an attempted prison break, Brennan had destroyed the letter, so as not to upset the mother, who was ill. She had died, happy in the thought that her son was successful. But Brennan had been arrested. The President, touched by the story, effects Brennan's release and every one is happy.

Damon Runyon wrote the story, and Melville Baker, the screen play; Robert B. Sinclair directed it, and Edgar Selwyn produced it. In the cast are Tom Neal, James Bush, Don Costello, and others.

Suitability, Class A.

"Thou Shalt Not Kill" with Charles Bickford, Owen Davis, Jr., and Doris Day

(Republic, December 22; time, 67 min.)

A depressing program picture. The story idea reminds one of "Full Confession," for here, too, a man, fearing that he was going to die, confesses that he had committed a murder for which an innocent man was being tried, but upon recovery refuses to give himself up to the authorities. There is a religious conflict, too, for the confession had been made to a Protestant minister who, out of respect for the Catholic law, is compelled to maintain silence even though he thought it was unjust. The same system is followed as in "Full Confession"—that of having the minister hound the guilty man into confessing. The part of the story that pertains to the murder and the attempt of the murderer to kill also the minister is extremely unpleasant. The action is harrowing, for it is not until the end that the murderer finally confesses. Aside from the story, the production values are good, and the acting competent.

George Carleton Brown wrote the story, and Robert Presnell, the screen play. John H. Auer directed it, and Robert North produced it. In the cast are Paul Guilfoyle, Sheila Bromley, Charles Waldron, Charles Middleton, and others.

Unsuitable for children and adolescents. Adult fare. Class B.

"Mexican Spitfire" with Lupe Velez, Donald Wood and Leon Errol

(RKO, January 12; time, 67 min.)

This comedy may not have the names to draw crowds to the box-office, but once in the theatre there is no doubt that patrons will enjoy it immensely. The story is silly, serving merely as a framework to put over the gags. But there are so many comical situations that one is kept laughing almost throughout. It should go over particularly well in crowded theatres; audiences will probably laugh so heartily that many of the lines will be lost. The story is supposedly a continuation of "The Girl From Mexico," produced last year by RKO, and the same players appear here. Again Lupe Velez and Leon Errol team up in the comedy situations, which they handle expertly:—

Lupe Velez and Donald Wood return from their honeymoon and are greeted affectionately by Errol, Wood's uncle. But Errol's wife (Elisabeth Risdon) and Wood's former fiancée (Linda Hayes) scheme to disrupt the marriage. Wood is on the verge of signing an important contract with a British Lord (played also by Errol), but Miss Velez, innocently breaks up the conference. Wood invites the Lord to his home for dinner. Miss Risdon suggests that Miss Hayes pose as Wood's wife, since the Lord had seen Miss Velez in Wood's office and had mistaken her for a stenographer. Knowing that the Lord had decided not to attend the dinner, Miss Velez suggests that Errol impersonate him and embarrass Miss Hayes. The scheme works well until the real Lord actually arrives. Then the trouble begins. Miss Velez and Errol flee to Mexico, where she obtains a Mexican divorce. They return to America the day before Wood had planned to marry Miss Hayes. A chance meeting between Wood and Miss Velez makes them realize they still loved each other, and so Miss Velez is overjoyed when she receives a telegram telling her that her divorce was not legal. She breaks up the wedding, where the ceremonies end by everyone throwing cakes and food at each other.

Joseph A. Fields wrote the story, and he and Charles E. Roberts, the screen play; Leslie Goodwins directed it, and Cliff Reid produced it. In the cast are Cecil Kellaway and others.

Suitability, Class A.

**"Everything Happens at Night" with
Sonja Henie, Ray Milland and
Robert Cummings**

(20th Century-Fox, December 22; time, 77 min.)

Fair entertainment. During the first thirty minutes the spectator is kept amused by the witty dialogue and comical situations. But the moment the plot turns from comedy to drama, it becomes so muddled and far-fetched, that the spectator is bored. Miss Henie is charming; she does only one skating routine, but that is sufficient, for it is long and excellent. This routine is a solo performance; there are no group skating scenes. The three leading players struggle valiantly with the material, but there is not much that they can do to awaken interest in the artificial story:—

Ray Milland and Robert Cummings, newspaper reporters working for rival chains, receive instructions to go to Switzerland, there to investigate the rumor that a certain professor, former Nobel prize winner, supposedly dead, was alive and living in Switzerland. They accidentally meet Sonja Henie, who tells them that she was a nurse and that her patient, an elderly man, would not permit visitors in his home. Cummings discovers that Miss Henie's "patient" was in reality the missing professor; he telegraphs the news to his paper. But Milland, through a trick, has the telegram switched to his syndicate. Upon learning the following day that the professor was Miss Henie's father and that his life was in danger once his identity became known, Milland and Cummings are conscience-stricken. The arrival of four members of the Gestapo makes them realize the danger, for it was evident that their arrival signified a death warning for the professor, who knew too much about the political setup of their country. Milland and Cummings manage to get the professor and Miss Henie to Paris; once there Cummings makes arrangements for Miss Henie and her father to sail with him to America. Milland, in an effort to get rid of Cummings, arranges with some one to snatch Miss Henie's bag at the wharf; then he and Cummings rush after the "thief." Cummings gets back to the boat in time, but Milland is held by the police, who had seen him talking to the "thief." He is finally released and obtains the bag; but the boat had sailed. The professor shouts to Milland that the bag contained his memoirs, which Milland could use; this meant a scoop for him. Cummings is content with the fact that he had won Miss Henie.

Art Arthur and Robert Harari wrote the screen play, Irving Cummings directed it, and Harry Joe Brown produced it. In the cast are Maurice Moscovitch, Leonid Kinsky, Alan Dinehart, Fritz Feld, and others.

Suitability, Class A.

**"Balalaika" with Nelson Eddy
and Ilona Massey**

(MGM, December 29; time, 101 min.)

Patrons who like operettas should enjoy this picture, for, in addition to the good music, it has comedy, and romance, and has been produced lavishly. The story is, however, stereotyped, resorting to the familiar pattern of the Prince who loves a commoner, hides his identity in order to win her love, and finally reveals himself, thereby causing a break in the romance, with reconciliation following eventually. It is due mostly to the good performance given by Ilona Massey that one remains interested in the action; not only is she charming, but she sings well and acts engagingly. The background is Russia of the pre-revolutionary days:—

Nelson Eddy, a Prince and Colonel of the Cossacks, meets and falls in love with Miss Massey, a young singer in a cafe. She falls in love with him, not knowing of his title. Her father and brother, both members of a revolutionary party, are at first suspicious of Eddy, but they learn to trust him. Miss Massey learns the truth, when, during a Cossack raid to break up a meeting at which her brother was speaking, she sees Eddy leading the Cossacks; her brother is killed. At first she refuses to see Eddy; but he forces an entrance into her home, assures her of his love, and promises to resign from the Army. But war breaks out, and the lovers are parted. After the war, Eddy and his royal friends, including his father, are employed in a cafe in Paris owned by Charles Ruggles, Eddy's former orderly. At a celebration of the Russian New Year, at which Ruggles entertains the Russian exiles in a manner similar to the old days, Miss Massey arrives unexpectedly. There is a happy reunion between the lovers.

Eric Maschwitz wrote the story, and Leon Gordon, Charles Bennett, and Jacques Deval, the screen play; Reinhold Schunzel directed it, and Lawrence Weingarten produced it. In the cast are Frank Morgan, Lionel Atwill, C. Aubrey Smith, Joyce Compton, and others.

Suitability, Class A.

**"Married and In Love" with Alan Marshal,
Barbara Read, Patric Knowles
and Helen Vinson**

(RKO, January 19; time, 58 min.)

This actionless marital drama, with a triangle twist, is just a mild program picture, limited in its appeal. For one thing, the players are not strong box-office attractions; and, for another, the story is routine. The plot is developed by means of dialogue, and is, therefore, slow in its development. With the exception of the character portrayed by Barbara Read, none of the others awaken any sympathy:—

Alan Marshal, a successful doctor and author, accidentally meets Helen Vinson, his old college sweetheart. Both are married, Marshal to plain Miss Read, and Miss Vinson to wealthy Patric Knowles. They recall their love affair, how Marshal had gone to Europe for further study, and how, upon his return, he had been heartbroken to learn that Miss Vinson had married some one else. Marshal tells her that he could not resume the old affair, for he was now married to Miss Read, whom he loved, although not as passionately as he had loved Miss Vinson; furthermore, that Miss Read's life had been one sacrifice just to make things easy for him. But further meetings weaken them, and they decide to break all ties with their respective mates and go away together. Knowles is heartbroken when he hears the news, for he loved Miss Vinson deeply. They all gather at Marshal's home, the purpose being to tell Miss Read. But she, suspecting what was afoot, prevents them from talking; instead, she tells them how happy her life with Marshal had been, how she had struggled to help him, how her baby had died, and other intimate things. This so touches Marshal's heart that he tells Miss Vinson to forget everything he had told her, for he would not leave his wife. Miss Vinson, too, is touched, and decides to stay with dependable Knowles.

S. K. Lauren wrote the story and screen play, John Farrow directed it, and Robert Sisk produced it. In the cast are Hattie Noel, Frank Faylen, and Carol Hughes.

Not for children. Suitable for adolescents and adults. Class B.

**"Henry Goes Arizona" with Frank Morgan
and Virginia Weidler**

(MGM, December 8; time, 65½ min.)

A pleasant program picture. What makes it enjoyable is not the story, which is pretty thin, but Frank Morgan's performance. So human and amusing does he appear as the frightened Easterner who comes up against tough Westerners, that one feels deep sympathy for him. What would have been an ordinary part is raised to importance mainly by his ability. Human appeal is awakened by the friendship that develops between Morgan and little Virginia Weidler, who thinks he is a hero. The closing scenes, in which Morgan single-handedly outwits the gangsters and rescues Virginia, are both exciting and comical:—

Morgan, a down-and-out vaudeville player, learns to his joy that he had inherited his deceased half-brother's ranch in Arizona. But when he arrives there, he is frightened when the facts are made known to him—namely, that his brother had been murdered, that he had been despised by every one, and that his life was in danger. He goes to the ranch where he meets little Virginia, who had been adopted as a niece by the deceased man; Morgan promises to be her uncle and care for her. She worships Morgan from the moment she meets him. Douglas Fowley and another ranch hand, who had killed Morgan's half-brother in order to work out a scheme with Porter Hall, the crooked banker, to gain control of the ranch, work up the neighboring ranchers to lynch Morgan. But Morgan turns the tables by appearing to be friendly and offering food to his neighbors; this wins them over. Nevertheless, he decides to return East. Spencer Charters and little Virginia plan to keep him from leaving; Charters hides Virginia and then tells Morgan that she had disappeared. By the time he returns to the ranch, Virginia had actually been kidnapped by Fowley. Morgan goes after her. He outwits the crooks, rescues Virginia, and brings about peace with the ranchers. Not only does he remain on the ranch, but he is elected Mayor of the town.

W. C. Tuttle wrote the story, and Florence Ryerson and Milton Merlein, the screen play; Edwin L. Marin directed it. In the cast are Slim Summerville, Owen Davis, Jr., and others.

Suitability, Class A.

There are, however, two other statements of his that I should like to discuss before disposing of him.

The one concerns me: In the issue of December 9, I called your attention to the fact that he has been attacking Warner Bros. during this tour and asked whether his hostility towards this company was prompted by the fact that *The Independent*, his house organ, carries no Warner Bros. advertising! I did not make a direct statement, because at that time I did not know; I merely asked a question. Harry took up this subject and denied that absence of advertising had anything to do with his attacks, but the fact that the Warner organization had submitted to his association a selling plan that they declared unfair.

Harry did not make clear what that plan was, and since I know of no extra-special plan that Gradwell Sears submits to one group of exhibitors and not to another, I proceeded to find out. I was told that the Warner Bros. selling plan is uniform, and has been made known to all exhibitors by means of trade papers advertisements.

I then looked into the back issues of *The Independent* to find out how much advertising Warner Bros. inserted in that paper this year. Here are the facts:

March 18, eight pages; April 15, twelve pages; May 13, one page; July 1, one page; September 2, two pages. No advertisement thereafter. The first editorial blast against Warner Bros. appeared in the October 28 issue.

Not satisfied with this evidence, I called up Mort Blumenstock, in charge of advertising and publicity at the Home Office, and asked him whether my assumption that Harry is blasting Warner Bros. has been caused by their refusal to give him advertising or not and was told that, sometime in October, Harry Brandt called on him and asked him how much money they intended to spend in his paper. When Mort told him that they had made no funds available for such an item, he went to Major Warner. But the Major told him the same thing. The next thing they knew, Mort said, was Harry's October 28 editorial attack, which has been continued and carried to the highways and byways of the United States. (He might have employed his time better if he were to tell us something about the Bronx operators' strike.)

The second matter that I want to discuss before disposing of him, is his statement to the effect that, about a month ago, a certain Congressman came to New York and naturally Harry discussed with him the Neely Bill. He quotes this Congressman as having said: Why don't you keep Charlie Pettijohn away from Washington? He does more harm than good.

I inquired around to find out who this mysterious Congressman was and learned that perhaps it was Emanuel Celler, Congressman from Brooklyn. Mr. Celler is law partner of Milton Weissman, who is, in turn, counsel for Harry Brandt. Since Mr. Brandt had never attacked Mr. Pettijohn on any matter, I am prompted to ask whether Harry is trying to get Charlie's job on the ground that he can render a better political service than can Charlie!

Of course, if Charlie wants to hand his job over to Harry Brandt, or to some one that Harry may be grooming for it, I have no objection; all I am interested in is Harry's motives.

You might think that I am a little too hard on Harry by criticizing him so often. If so, save your sympathy—he does not need it; he is smart enough to know that his tactics cannot help evoking criticism from some people. Besides the mention of his name in editorials makes him happy—intoxicates him, so to speak. My motive for dealing with him so often has been explained to you clearly in the past two weeks: the Neely Bill will come up very soon in the House of Representatives and the producers may use him, instead of Ed. Kuykendall, to oppose the Bill, and I want you to have a clear picture of where Harry stands.

PICTURES NOW IN PRODUCTION

(Continued from last week)

EDITOR'S NOTE: The information given in these articles is to keep you informed of the pictures that are soon to be finished and undoubtedly released. The appraisal is based on the cast except when a synopsis of the story is available.)

Warner Bros.

"VIRGINIA CITY," with Errol Flynn, Miriam Hopkins, Randolph Scott, Humphrey Bogart, Allan Hale, Donald Crisp, Frank McHugh, Guinn Williams, and others, produced by Robert Fellows and directed by Michael Curtiz. Since the cast of this picture is strong and the director capable, it should make a very good box-office attraction.

"WE SHALL MEET AGAIN," with Merle Oberon, Pat O'Brien, George Brent, Geraldine Fitzgerald, Binnie Barnes, and others, produced by David Lewis and directed by Edmund Goulding. Fairly good cast; director very good. It should make a fairly good to good box-office attraction.

"AND IT ALL CAME TRUE," with Ann Sheridan, Jeffrey Lynn, Humphrey Bogart, Zasu Pitts, produced by David Lewis and directed by Lew Seiler. Fairly good to good.

Columbia

"THE LONE WOLF STRIKES," with Warren William, Joan Perry, Alan Baxter, Robert Wilcox, Eric Blore, Montague Love, and others. Program.

"DAUGHTERS OF TODAY," with Rochelle Hudson, Lola Lane, June Lang, Glenn Ford, Frieda Inescort, produced by Ralph Cohen, and directed by Nick Grinde: Program.

"FIVE LITTLE PEPPERS MIDWAY," with Edith Fellows and others, produced by Jack Feir and directed by Charles Barton. Program.

"TEXAS EXPRESS," with Charles Starrett, Iris Meredith, and others. Program.

Metro-Goldwyn-Mayer

"STRANGE CARGO," with Clark Gable, Joan Crawford, Ian Hunter, Peter Lorre, Paul Lukas, J. Edward Bromberg, Edward Ciannelli, Betty Compson, John Arledge, Sara Haden, Paul Fix, Francis MacDonald, Bernard Nedell and Jack Mulhall, produced by Joseph Mankiewicz, and directed by Frank Borzage. A formidable cast, with excellent producer and director. It ought to come out a very good to excellent box-office attraction.

"NEW MOON," with Jeanette MacDonald, Nelson Eddy, Dick Purcell, Mary Boland, Buster Keaton, Nat Pendleton, Grant Mitchell, John Miljan, Nigel Bruce, and others. Good cast and, with a good story, this musical should turn out very good. But the story counts a great deal.

"YOUNG TOM EDISON," with Mickey Rooney, Virginia Weidler, Fay Bainter, George Bancroft, J. M. Kerrigan, Eugene Pallette, and others. Produced by John Considine, Jr., and directed by Norman Taurog. MGM will, no doubt, pay a great deal of attention to the story for this picture. Consequently it should turn out either very good or excellent.

"AROUSE AND BEWARE," with Wallace Beery, John Howard, Dolores del Rio, John Wray, Victor Varconi, Frank Thomas, Francis Ford, Howard Hickman, H. B. Warner, and others, produced by Edward Chodorov, and directed by Leslie Fenton. Good cast. The picture should turn out good, and perhaps very good.

"I TAKE THIS WOMAN," with Spencer Tracy, Hedy Lamarr, Kent Taylor, Verree Teasdale, and others, produced and directed by W. S. Van Dyke. This picture was made a long time ago and shelved because of its poor quality; it is, therefore, difficult to predict what the final outcome will be after the "doctoring" by Mr. Van Dyke is completed.

Paramount

"THE WAY OF ALL FLESH," with Akim Tamiroff, William Henry, Gladys George, Jean Cagney, Berton Churchill, and others, produced by Eugene Zukor, and directed by Louis King. Paramount produced this story once before, in 1927, as a silent picture, with Emil Jannings, very popular at that time. It made a big hit. Whether the story is as well suited for a talking picture is hard to tell. In all probability it will make a pretty good picture.

"GOLDEN GLOVES," with Jean Cagney, Robert Ryan and other unknown players, produced by William C. Thomas and directed by Edward Dmytryk. Program, for a double bill.

United Artists

In appraising last week "House Across the Bay," under the heading "Pictures Now in Production," I said that it is an unhappy story, the kind that can hardly make a happy picture unless altered radically. United Artists has informed me that my appraisal must have been based on an older synopsis, because the ending has been altered considerably.

Another appraisal was made of this story in the June 17 issue. At that time a synopsis was given. In that synopsis, the hero-husband, a racketeer, is shown as having killed his lawyer. In the revamped story, he kills an informer. The new ending is considerably better than the old ending, in that the lawyer is not shown double-crossing him. Nevertheless it is still an unhappy picture.

(To be continued next week)

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LET CONGRESS KNOW!

Under the heading, "Haysites, Independent and Chain Exhibitors Combine in a General Industry Drive to Brush Off Neely Bill," the December 20th issue of *Variety* informs the industry that, under the guidance of Motion Picture Producers and Distributors Association (the Hays office) there has been organized and is now in full swing a vast campaign the object of which is to prevent the passage of the Neely Bill through the House of Representatives.

The Drive, says *Variety*, is semi-educational in nature, the concern of its directors being to acquaint the film salesmen with, not the block-booking and blind-selling provisions of the Bill, but its penalty features, under which these salesmen, they assert, are liable criminally.

That the campaign is in full swing there is not the least doubt. Two weeks ago, Mr. Charles C. Pettijohn, of the Hays office, addressed the members of A.M.P.A. (Association of Motion Picture Advertisers), who are either employees (in the main) of motion picture producers, or doing business with such producers, and, after castigating the Bill, recommend that a committee be appointed to co-ordinate the efforts of the opponents of the Bill, a recommendation which the president of the organization accepted at once and acted on it; and, for the last month or so, emissaries of the producers have been touring the country in an effort to create sentiment against the Bill. These emissaries have been bold in making known their plans of causing at least one million letters to be sent to the different members of the House of Representatives. The scheme is to have all those whom they have frightened into believing that the passage of the Bill will put them out of business call upon their grocers, their shoe-store owners, their bankers, their bakers and others and, by leading them to believe that, if the Bill should become a law, they would lose their jobs, induce each of them to urge at least five of his friends to write to their Congressmen advising the defeat of the Neely Bill.

To the best of my information, neither Pettijohn nor the other emissaries dwell upon the fact that the synopsis requirements of the Bill that has been passed by the Senate is not the same provision that was contained in the original draft, and that the reformed provision grants a greater latitude to the producer, for if they had made this fact known to the trade they would not be able to frighten some of the exhibitors into taking the action that the producer emissaries suggest.

But let me call your attention to one thing: through all these years during which your leaders have been fighting for the outlawing of block-booking and blind-selling by a Federal statute, not once have the producers come forward with a constructive suggestion. They have complained all along that a law such as Senator Neely has proposed would put them out of business, but, instead of pointing out how the Bill could be improved so as to effect the reforms needed without harming them, they have remained silent. Instead, they elected to employ all their energies toward the defeat of such a law, resorting to all kind of expedients to succeed in their efforts. Why? Simply because they do not want to see their monopolistic grip on the motion picture industry in any way loosened. That is the real reason!

The duty of the leaders of Allied States Association of Motion Picture Exhibitors is plain, and urgent: they should take immediate steps to acquaint every member of the House of Representatives, as well as every Senator, that the avalanche of letters against the Neely Bill, which they may now be receiving or are about to receive, is the result, not of the spontaneous outburst of the sentiments on the part of the writers of these letters, but of a well designed and well executed propaganda campaign, set into motion by the motion picture producers. If among the writers of such letters should happen to be some independent theatre owners, these leaders should let the nation's lawmakers know that these have been terrorized by the producers into taking such an action by the false propaganda that has been fed to them. The Allied leaders should not be content to depend alone on the resentment that "Mr. Smith Goes to Washington" has created in Washington for the passage of the Bill through the House of Representatives; they should, in addition, expose the frantic efforts the producers are making to defeat the Neely Bill and thus perpetuate their monopoly.

A FINE SERMON!

In the October 14 issue of his *Hollywood Spectator*, Wealford Beaton says in an opening editorial, under the heading, "Are Good Stories Hard to Find?":

"One day last week I sat in the office of a Master Producer and listened to his troubles. He did not touch on those initiated by Congress and the Department of Justice. Our conversation was on a higher plane, dealing principally with the film industry's source of raw material—stories. My friend acknowledged the box-office was in a bad state and expressed his belief that it would become worse, because—of all things!—it was almost impossible to get enough good stories to provide for a steady output of high-grade product. His readers, he said, had not uncovered a good book in months of reading, and the New York stage was offering nothing worth while. 'When books and plays—our chief source of supply—fail us,' he wailed, 'what are we going to do?'"

"The studio this producer heads, has in dusty files enough story material to keep it going for a decade, but I did not tell him that. I let him do all the talking and contented myself with listening and smoking one of his sixty-cent cigars.

"There never has been a story shortage. There are enough unwritten ones to supply the industry for a century. The screen thus far has used up only hurricanes, earthquakes, fires, murders, divorces, gangsters and other purely physical manifestations, has overdone to the point of exhaustion the material aspects of our way of living. And it has exhausted its ability to put more money on the screen, to present bigger and more expensive productions to stun us into believing they are what we want.

"There are so many big things happening in the world today, so much sorrow on a gigantic scale, so many world-shaking manifestations of the beastly side of man, we would welcome the escape from them which the screen could provide. Instead of our being chilled by the recreation on the screen of variations of the strife and sorrow which fill our

(Continued on last page)

"Raffles" with David Niven and Olivia deHavilland

(United Artists, December 29; time, 70 min.)

Just a fair melodrama. When this was last produced in 1930, with Ronald Colman as the star, it was pretty exciting entertainment. But the standards of screen fare have changed since then, and so, what was exciting in 1930, is now just another melodrama. The production values are good, and the acting fairly capable. It is just that the story does not stand up. There are one or two exciting situations, but for the most part the action is slightly draggy. There is a romance. The action takes place in London:—

David Niven, unknown to his society friends or to the girl (Olivia deHavilland) he loved, is an amateur crook. Once he confesses his love to Miss deHavilland he decides to go straight. They both are invited to spend the week-end at the palatial home of a titled lady (Dame May Whitty). Miss deHavilland's brother also is there. He confesses to Niven that he was badly in need of money to cover gambling debts. Not having the money himself, Niven decides to steal Dame Whitty's famous emerald necklace. But he does not find it necessary to do so, for the robbery of the necklace had been planned by another crook. Niven traps him, steals the necklace from him, and then knocks him out. But the crook had caught a glimpse of the wrist-watch worn by Niven, and in that way is able to identify him later. Dudley Digges, a Scotland Yard inspector, who had stationed himself at the house to protect the necklace and at the same time catch "The Amateur Crook," arrests the intruder, but knows that he was not the man he wanted. He suspects that Niven is the crook; when Niven leaves for town, Digges follows him. He purposely sets his prisoner free so as to follow him, and sure enough he arrives at Niven's apartment. Niven arranges matters so that Miss de Havilland's brother returns the necklace and obtains the reward. He confesses his identity to Digges, and promises to give himself up that evening. Miss de Havilland tells Niven that what he had done does not matter to her for she loved him.

E. W. Harnung wrote the story, and John Van Druten and Sidney Howard, the screen play; Sam Wood directed it, and Samuel Goldwyn produced it. In the cast are Douglas Walton, Lionel Pape, E. E. Clive, and others.

Not for children. Suitable for adults and adolescents. Class B.

"The Secret Four" with Frank Lawton and Anna Lee

(Monogram, January 15; time, 73 min.)

This British-made espionage melodrama is pretty good program entertainment for the action fans. Although a few situations are pretty far-fetched, the story, for the most part, is interesting and exciting, holding one's attention well. Furthermore, the production values are good, and the performances convincing. A romance is worked into the plot without in any way retarding the action:—

Four men (Hugh Sinclair, Griffith Jones, Francis L. Sullivan, and Frank Lawton) labeled as the "Four Just Men," but whose identities were unknown to any one, do secret work on behalf of their government, without government authority. They learn that confidential information was leaking out from the Foreign office, and that a foreign conspiracy was on foot to destroy the British nation. Lawton goes to the near east to work on the case, while the other three stay at home continuing the investigation. They discover that the information was sold by Lydia Sherwood, wife of a trusted

government official, to Basil Sydney, who paid large sums of money for it; moreover, that Sydney was her lover. Realizing that she had been found out, Miss Sherwood rushes to Sydney for protection. He kills her by throwing her down the elevator shaft. In the meantime, Anna Lee, a young newspaper reporter, accidentally comes upon certain facts. She and Jones fall in love with each other, but, since he could not disclose his identity to her, she suspects him of being a criminal. Lawton returns with news that the Suez Canal was to be blocked and that action was imperative. Lawton is killed by Sydney. Realizing that the main plotter against the government was Alan Napier, a titled member of Parliament, the remaining three contrive to bring about his death. Sinclair, disguised as the dead man, makes a speech in Parliament, warning the members of the danger to their country. Action is taken immediately. When the truth becomes known, the "Four Just Men" are hailed as heroes. Miss Lee and Jones are united.

Angus MacPail, Sergei Nolbandov, and Roland Pertwee wrote the screen play, Walter Forde directed it, and Michael Balcon produced it. In the cast are Edward Chapman, Athole Stewart, and others.

Not for children. Suitable for adolescents and adults. Class B.

"Gulliver's Travels" a technicolor cartoon feature

(Paramount, December 22; time, 76 min.)

Delightful entertainment. The material lends itself perfectly to cartoon work, for it is mostly comic. It is "grand" entertainment for children, since there is nothing in it to frighten them; and adults, too, should enjoy it, for the action is fast, the ideas ingenious, and the material comical; and there is plentiful music. "Gabby," Town Crier of Lilliput, is the outstanding character, for he appears throughout giving orders and in general running things. But there are other characters who charm one, such as "King Little" and "King Bombo," while the three spies "Sneak, Snoop, and Snitch" amuse one. The fame of the book should insure good box-office results.

The story covers one part of Lemuel Gulliver's adventures, that is, his meeting with the Lilliputians. Having been shipwrecked, he swims to an island, where he falls into an exhausted sleep. Gabby, the town crier on the island, whose inhabitants were not more than six inches high, is horrified when he spies on the beach Gulliver, who, compared with his size, was a giant. He speeds back to town to warn the populace. King Little orders Gabby to bring the giant to the palace. And so Gabby sets out with the brave men of the island; after working extremely hard, they bind the giant and bring him to the palace. But Gulliver awakens and naturally casts off the ropes. Everyone rushes for shelter. But he convinces them that he was a friend, not an enemy. In the meantime, trouble was brewing! King Little and King Bombo, whose children were to marry, had had an argument about the song to be sung at the wedding. As a result, the wedding had been called off and war had been declared. But Gulliver prevents a war, brings them to their senses, and arranges the marriage. He later takes leave of the Lilliputians, having built a boat big enough to take him back to his own homeland.

The plot was adapted from the story by Jonathan Swift. Dan Gordon, Cal Howard, Ted Pierce, I. Sparber, and Edmond Seward wrote the screen play. Dave Fleischer directed it, and Max Fleischer produced it. The singing voice of the Princess is Jessica Dragonette's, and of the Prince, Lanny Ross'.

Suitability, Class A.

"Gone With the Wind" with Clark Gable and Vivien Leigh

(MGM, Rel. date not set; time, 3 hrs. and 45 min.)

This picture should prove to be one of the greatest money-making attractions in the history of the industry. There is a ready-made audience of millions, who have read the novel, eagerly waiting to see it; and certainly enough excitement has been whipped up to arouse the interest even of those who have not read the book.

The readers of the novel should be thrilled, for the picture follows the book closely; and so expertly has been the casting that the characters appear just as one had imagined them.

The massiveness of the sets, which are enhanced by the technicolor photography, impresses one with the fact that millions of dollars had gone into its making. Technically it is tremendous. As for the acting, it is doubtful if any one else could have given as expert a performance as has been given by Vivien Leigh; she makes the character of "Scarlett O'Hara" so real, so interesting and exciting, that one follows her actions with the utmost of interest.

For all the picture's virtues, it has, however, some faults: for one thing, it is too long. The first half is excellent—all the excitement and thrills are contained therein. In comparison with this, the second half drags a little, since it is devoted to the private lives of the characters; this half could certainly benefit by some judicious cutting.

Yet for all its opulence, it does not stir the emotions as deeply as it should. The reason may be due to the fact that the two leading characters are strong, somewhat selfish, and even unscrupulous; one feels as if they can always take care of themselves, and so one does not either pity them or fear for their fate. On that score alone it cannot be compared favorably with "The Birth of a Nation."

The story follows the events in the life of "Scarlett O'Hara" from the beginning of the Civil War. She had been reared in a wealthy home, accustomed to luxuries and attention. Her first great disappointment came when she learned that Ashley Wilkes (Leslie Howard), whom she loved, was going to marry his cousin Melanie (Olivia deHavilland). The war, with all its horror, found her family stripped of its wealth, the plantation ruined, and friends gone. But Scarlett's indomitable spirit would not permit her to give up. Her first marriage had been made just to spite Ashley; her husband died in the war. Her second marriage was one of convenience, for she needed money to pay the taxes on the family plantation, which she was determined to save. Her second husband died fighting to protect her honor. In the meantime, Rhett Butler (Clark Gable), a cynical man-about-town, who did not hesitate to make millions in war profits, and who had always loved Scarlett, proposes, and this time is accepted. He gives his wife every luxury, but she could not forget Ashley. This tortures Rhett. Their one child, whom Rhett adored, dies in an accident. A few days later Melanie dies. It is then that Scarlett learns that Ashley had always loved his own wife and not her. Since the news did not hurt her, she realized that she really loved Rhett. But it is too late, for Rhett's patience had given out; he leaves her. But she thinks of schemes to win him back.

The plot was adapted from the novel by Margaret Mitchell. Sidney Howard wrote the screen play, Victor Fleming directed it, and David O. Selznick produced it. In the cast are Hattie McDaniel, Thomas Mitchell, Oscar Polk, Barbara O'Neil, Victor Jory, Ann Rutherford, Harry Davenport, and many others.

The second half is pretty adult in its approach to sex problems, and is a little too suggestive for children. **Moral suitability. Class B.**

"The Light That Failed" with Ronald Colman

(Paramount, Rel. date not set; 98½ min.)

Drab and dreary. The hero awakens, not sympathy, but pity. As a result, one follows his fate reluctantly. There is nothing cheering in the story; the hero is "condemned" to blindness without any hope of cure. The story was put into pictures twice before; the first time, in 1916, by Pathe—it made a fair box-office success; the second time in 1923, by Paramount itself, with poor box office results. In producing it the third time, Paramount no doubt hoped to capitalize on the death of the author; but it is doubtful if this will help, because of the cheerlessness of the picture.

The story deals with a hero, an artist (Ronald Colman), who, because of an injury to his eyes as a result of a sudden flash when he was still a boy, eventually goes blind. While in Sudan with Walter Houston, a war correspondent with the British Army, Ronald receives on the head a blow that was intended for Houston. The blow affects his optic nerve, already weak, and he begins to feel his eyesight going. He returns to London and keeps on painting pictures. Since the war was over, Houston had returned, and the two were living together. But just after he finished the picture of the girl he loved ever since childhood, he goes blind. Walter informs her of his affliction and she returns to him, but Ronald would not have her because of his condition. War had again broken out in Sudan and Houston went there as war correspondent. Ronald follows him and is shot and killed just as he had reached the lines.

The picture was produced and directed by William Wellman, from a screen play by Robert Carson. In the cast are Muriel Angelus, Ida Lupino, and others.

Suitability, Class A.

"High School" with Jane Withers

(20th Century-Fox, January 26; time, 74 min.)

This is one of Jane Withers' better pictures. Although the story is routine, it has plentiful action and comedy, and should find favor with the younger crowd. Jane receives capable assistance from a newcomer, Joe Brown, Jr., a young man, who, although not good-looking, is appealing because of his simple manner. The closing scenes, in which a gang of young boys and girls, led by Jane, battle against crooks, are pretty exciting and laugh-provoking:—

Jane, who lived on a ranch with her father, develops into a tom-boy. Her father, feeling that it was time for her to learn the ways of a lady, sends her to Texas to his brother, a high school principal, for supervision and training. At first, Jane sneers at the other children, for she knew more and could do more than any one of them. Joe, who was the leading football player, develops a "crush" on Jane, but she snubs him. Knowing that Joe would not be permitted to play unless his school-marks improved, the other pupils, during an oral examination, pretend not to be able to answer questions so as to make it appear as if the test was too difficult, in that way preventing Joe from appearing as the only stupid one. Not knowing about the scheme, Jane answers all the questions. For this, the other pupils snub her and blackball her from joining the most desirable club at school. Jane is heartbroken and prepares to leave. But her uncle dares her to stay. She does, and takes Joe under her wing; she trains him so well that he passes his tests. When she later shows courage in escaping from crooks, getting together all the school children to save Joe, who was being held a prisoner, the pupils change their feelings towards her.

The plot was adapted from a story idea by Robert Ellis and Helen Logan. Jack Jungmeyer, Edith Skouras, and Harold Tarshis wrote the screen play, George Nicholls, Jr., directed it, and John Stone produced it. In the cast are Cliff Edwards, Lloyd Corrigan, Lynn Roberts, Paul Harvey, and others.

Suitability, Class A.

daily papers, of the complications with which civilization is struggling, we would prefer something of a more soothing nature when film theatre doors close behind us and shut out the troubled world.

"As long as a girl can go hand-in-hand with a boy down a country lane, as long as mothers croon over babies, as long as grandparents sit side by side and gaze at a burning log in their sitting-room grate, as long as flowers bloom, trees yield to a summer breeze, brooks murmur, birds sing—as long as normal humans do human things and nature pursues her normal way, there will be a million stories which can be written for the screen.

"There are enough writers on studio payrolls now to supply producers with all the stories they can use. The trouble with producers is that only a small fraction of them can recognize a story when they read one. They can understand a cyclone or a murder, but cannot recognize the story value of a father's gesture when he pats approvingly the shoulder of his son, a gesture which, in its proper place in a story, can have greater impact on the emotions of an audience than the earthquake had in 'San Francisco.' When Hollywood's real picture-makers are allowed to make the pictures, there will be no more fussing about a shortage of story material."

I don't know whether or not Mr. Beaton realized that, when he was writing this editorial, he was writing a fine sermon; that is how it struck me—he expresses in it fine sentiments, the kind with which every producer should be imbued if he would hope to make pictures that will move audiences. Unfortunately, his fine words will have on producers the same effect as that of water poured upon a duck's back: the system in Hollywood is such that the soundest advice is lost.

For instance, one of the fine, ambitious young writers—the one hundred dollar a week man—writes a fine story. It it naturally submitted to the boss. But because the boss knows nothing about story values, he naturally refers it to one of his highly-paid writers—and he has many of such writers on his staff. Now, what do you think that writer will do? Will he allow a young whipper-snapper to show him up? No!—of course, not. He will take that story and so alter it that, by the time he gets through with it, its own father, or mother, whatever the case may be, will fail to recognize it.

If that story should happen to pass through the hands of that writer with few changes, then comes the unit producer; he, too, must show that he has wisdom. Otherwise he could not justify the salary he is getting.

But how about the "Big shot" director? He, too, must show that he is earning the salary he gets. Consequently, he must make his own changes.

The system naturally discourages the young writers, for they feel that they cannot break it down, and they give up trying to conceive good stories, stories with original situations, being content to appear keeping busy so as to draw their salaries. Do you see, now, how atrocious stories are put into pictures nowadays, stories that arouse the derision of the audiences?

Just to show you how right is Mr. Beaton when he mentions about the effect that a father's patting his son on the shoulder has, let me make this comparison. A father's pat, when done merely to show the natural pride of a father for his son, will not have much effect beyond the natural satisfaction a person feels when he sees father and son on intimate terms, but let the situation be as follows: The son had been saving his nickels and dimes for a year, for the purpose of buying something he had set his mind on. The father suddenly meets with a misfortune. The son hears of it, goes to his father, and puts his savings in his hand. The father at first refuses to accept the money; but the son tells him that he would be the most unhappy boy in the world if his father would not accept from him that little sacrifice. The father's eyes glisten, and he puts his arms around his boy's shoulder and squeezes him. Do you see the difference between the one pat and the other? That is what Mr. Beaton calls "the proper place in the story." It is not the act itself so much, but what leads up to it that makes the act effective.

Incidentally Mr. Beaton is the one writer who has been trying to induce the producers, ever since talking pictures came, to go back to making moving pictures instead of the present garrulous, gabby stage imitations. But he has an uphill fight, for the influence of the stage is so entrenched in the editorial departments of the Hollywood studios that, unless a miracle happens, the picture makers will continue to unfold the action more by words and less by moving photographic shadows.

MARTIN STARR HEADS A.M.P.A. COMMITTEE

Mr. Martin Starr, the well-known radio commentator, connected with the WMCA broadcasting station, of New York, has been appointed by the president of A.M.P.A. (Association of Motion Picture Advertisers), to head the committee that is to coordinate the efforts of the opponents of the Neely Bill.

Mr. Starr is known in the industry very well. He is a capable person, and able to do the work for which he has been assigned. The fact that he has been appointed to the job is an acknowledgment of his capabilities.

Mr. Starr's appointment, however, is in itself an admission that, among the members of the A.M.P.A., many of which are paid highly, there is not one of them who could do the work as effectively as can Mr. Starr.

Is the motion picture industry paying its publicity experts too much?

*Starr was the last editor of HARRISON'S REPORTS.

PICTURES NOW IN PRODUCTION

(Continued from last week)

RKO (Radio) Pictures

"MY FAVORITE WIFE," with Irene Dunne, Cary Grant, Randolph Scott, Gail Patrick, Scotty Beckett, and Mary Lou Harrington, produced by Leo McCarey, and directed by Garson Kanin. A strong cast, with a first-class producer, and a first-class director. The picture should turn out either very good or excellent.

"LITTLE ORVIE," with Edward Ellis, Johnny Sheffield, Ernest Truex, Ann Todd, and others. produced by William Sistrone and directed by Ray McCarey. The plot has been founded on the Booth Tarkington novel, dealing with boys and their good and their bad qualities, but it is human. A good to very good program picture.

"BILL OF DIVORCEMENT," with Maureen O'Hara, Adolphe Menjou, Fay Bainter, Patric Knowles, Dame Mary Whitty, C. Aubrey Smith, and others. produced by Robert Sisk, and directed by John Farrow. This picture is a remake; it was produced by RKO in 1932, with Katharine Hepburn and John Barrymore. It was the picture that brought out Miss Hepburn as a screen star. The plot has been founded on the Clement Dane stage play; it deals with a heroine who married the hero out of pity rather than love; he had been shell shocked in the war. This had caused his derangement and, for fifteen years, he had been enclosed in an insane asylum. In the meantime the heroine had divorced him and was about to marry another man. Her daughter, too, was engaged to marry but her hopes are shattered when she learns that there was a strain of insanity in the family. The hero, cured, escapes from the asylum and returns home. The daughter, telling her fiancé the truth about her family, breaks her engagement with him. The hero, realizing that his wife did not love him, lets her go away with the man she loved. Father and daughter remain together, consoling each other in their grief.

The story material is powerful, but its strain is unpleasant—one may even say repellant, for no one relishes insanity dealings in one's entertainment. No doubt alterations have been made in the plot, but unless these are radical, eliminating insanity from the story, the picture may turn out powerful but hardly a pleasant entertainment.

"GLAMOUR BOY No. 2," with Joe Penner, Linda Hayes, Dick Lane, and others, produced by Robert Sisk, and directed by Les Goodwins. Program, its value to an exhibitor's box office depending on Penner's drawing powers.

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